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TEXAS HOUSE OF REPRESENTATIVES

2011 (82R) SB 14

3/23/11 House Floor Debate (Emergency Calendar)

Volume 2

TRANSCRIBED ON APRIL 23, 2012

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2

1                   SPEAKER: Mr. Veasey, do you intend to  
2 close? Do you wish to close.

3                   Mr. Veasey sends up an amendment.  
4 Ms. Harless moves to table. The motion -- excuse me.  
5 The vote is on the motion to table. Record vote  
6 requested. A record vote is granted. The clerk will  
7 ring the bell. This is on the motion to table. Show  
8 Ms. Harless voting aye. Show Mr. Strama voting no.

9                   Have all members voted?

10                  There being 99 ayes, 48 nays, the motion to  
11 table prevails.

12                  Following the amendment, the clerk will read  
13 the amendment.

14                  CLERK: Amendment by Dutton.

15                  SPEAKER: The Chair recognizes Mr. Dutton.

16                  REPRESENTATIVE DUTTON: Mr. Speaker and  
17 Members, on Page 6 of the bill, there are certain  
18 requirements that indicate that the voter registration  
19 certificate or the provisions of this bill do not apply.  
20 We just did away with the 70 year old amendment, and so,  
21 it leaves the disabled but what this amendment simply  
22 does, it says that if the election judge --

23                  And I might back up a minute because I want  
24 to just share with you what the -- what the origin of  
25 this amendment happened to be.

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1                   Mr. Speaker, could we have a little bit  
2     better order?

3                   SPEAKER: Members, can we have some order so  
4     you can hear Mr. Dutton explain his amendment.

5                   REPRESENTATIVE DUTTON: Thank you,  
6     Mr. Speaker.

7                   Both of my parents were election judges.  
8     Between them, they had over 50 years of being an  
9     election judge in Houston and Harris County.

10                  And, generally, one of us, one of my  
11     siblings and I, we would -- on the morning of the  
12     election, we would essentially take either my mom or my  
13     dad to the polling place and, before I got elected, help  
14     them get the -- to set up the whole polling place so  
15     there could be an election.

16                  Under this bill, if my amendment didn't  
17     pass, what would happen is I could do all of that, I  
18     could go and get it all set up, and once it was time for  
19     me to vote in that precinct, I would have to take out my  
20     ID and show it to my mother and dad.

21                  That didn't make any sense to me, and so,  
22     that's why I am offering this amendment because I  
23     believe that most of the precinct judges, most of the  
24     election judges, if they're like the ones that I know,  
25     they know just about everybody in that polling place.

1 They know everybody there.

2 In fact, my mother and dad got to the point  
3 where they could tell you what time a particular person  
4 was going to show up at the polls.

5 And so, what this amendment does is simply  
6 makes an exception that says for -- in the instance  
7 where the precinct judge, the election judge actually  
8 knows -- personally knows the person -- I think that  
9 saves all of this other stuff that's going on with this  
10 bill but it certainly provides an opportunity for us to  
11 not to have to burden the election process because it  
12 simply that means the election judge actually affirms  
13 that they personally know who it is that is appearing at  
14 the polling place, and that's what this amendment does,  
15 Mr. Speaker and Members.

16 SPEAKER: Ms. Harless, is the amendment  
17 acceptable?

18 The chair recognize Mr. Hancock speaking  
19 against the amendment.

20 REPRESENTATIVE HANCOCK: Yes, Members, what  
21 this amendment does actually is it adds subjectivity to  
22 the election judge and really goes against what we need  
23 in total fairness and objectivity and that we stick with  
24 the current code and standards as defined in the  
25 statute.

1 I believe at this time the intention of the  
2 author is to table.

3 SPEAKER: Mr. Dutton, do you care to close?  
4 Do you care to close, Mr. Dutton? The Chair recognize  
5 Mr. Dutton.

6 REPRESENTATIVE DUTTON: All right. There  
7 was a little confusion. I didn't hear that he made the  
8 motion to table. I don't -- unless there's something  
9 going on in this bill that I don't understand, it is  
10 designed to protect the integrity of the voting process,  
11 and I don't know what better way to protect that than to  
12 limit the ability of someone to show up at the polling  
13 place and vote except by virtue of the fact that the  
14 polling -- the election judge actually knows the person.

15 I don't -- that makes no sense to me, and  
16 so, if I actually know the person and that person is  
17 personally somebody I know personally and even if they  
18 didn't have an ID but they had their voter registration  
19 card, I don't know why I wouldn't let them vote.

20 Can you imagine a scenario where I have gone  
21 to take my parent -- one of my parents over to the  
22 polling place, I, all of the sudden, got there about  
23 6:00 o'clock in the morning, which we typically did, got  
24 the polls, helped them set up the polling place, helped  
25 them set up the voting booth and then said, "Oh, I

1 forgot my wallet at home, mom."

2 And then my mom said, "Why do you need  
3 that?"

4 "Well, you need that because this particular  
5 bill, Senate Bill 14, says I have to have a picture ID."

6 My mom would look at me and think I had  
7 absolutely gone crazy. And I think that's what most  
8 people are going to think about this legislature, that  
9 if you don't let the election judge say that I  
10 personally know this person, so, why do they need to go  
11 home and get their ID, then there must be something  
12 other than protecting the integrity of the election  
13 process that this bill is attempting to do.

14 And so, with that, Mr. Speaker and Members,  
15 I would ask you to vote no on the motion to table and  
16 prove to the people in Texas that common sense is  
17 actually common in this legislature.

18 SPEAKER: Mr. Dutton sends up an amendment.  
19 Mr. Hancock moves to table. The motion is -- excuse me.  
20 The vote is on the motion to table. Record vote has  
21 been requested. Record vote is granted. The clerk will  
22 ring the bell. Show Ms. Harless voting aye.

23 Ms. Chen-Button voting aye.

24 Have all members voted?

25 Being 100 ayes, 48 nays, the motion to table

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1 prevails.

2                   Following the amendment, the clerk will read  
3 the amendment.

4                   Is Mr. Eiland on the floor?

5                   CLERK: Amendment by Eiland.

6                   SPEAKER: The chair recognizes Mr. Eiland.

7                   REPRESENTATIVE EILAND: Mr. Speaker,  
8 Members, being someone that has been through a hurricane  
9 very close to the election date, this is the reason that  
10 I bring this amendment to you.

11                   Those of us on the coast, when hurricane  
12 season is -- runs until November 1st, which is after the  
13 completion of hurricane season, this is a very real  
14 danger for us. And so, what we have is that if you have  
15 an area that has been -- that is a declared natural  
16 disaster by the governor or the president of the United  
17 States, then you sign an affidavit that says if you  
18 don't have a your ID because of that, then you think go  
19 ahead and vote.

20                   This is a very real issue as in the storm in  
21 Galveston after Hurricane Ike, people were actually  
22 locked out of the island for many days and lost  
23 everything.

24                   So, this is -- also wild fires in West Texas  
25 could be at issue. So, that's what this amendment does,

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8

1 it just creates an ability to execute an affidavit if  
2 there's a natural disaster and you don't have a photo ID  
3 for that reason.

4 SPEAKER: Mr. Eiland sends up an amendment.  
5 The amendment is acceptable to the author. Is there any  
6 objection? The Chair hears none. The amendment is  
7 adopted.

8 Following the amendment, the clerk will read  
9 the amendment.

10 Mr. Raymond.

11 CLERK: Amendment by Raymond.

12 SPEAKER: The Chair recognizes Mr. Raymond.

13 REPRESENTATIVE RAYMOND: Thank you,

14 Mr. Speaker, Members.

15 Member, under current law, an employer has  
16 to give you time to go vote. However, with this new --  
17 with the new provisions that are being proposed in this  
18 legislation, an employer does not have to give you time  
19 to go get the ID -- the proper ID that you need to  
20 comply with this proposed bill.

21 So, my amendment would simply say that if  
22 you do not have the proper ID and you can show that your  
23 employer did not permit you to take time to go get the  
24 ID necessary, that you would then be exempt from the  
25 provision in this bill.

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1 SPEAKER: Madam, door keeper, for what  
2 purpose?

3 DOOR KEEPER: Hear from the Senate at the  
4 door of the House.

5 SPEAKER: Admit the messenger.

6 MESSENGER: Mr. Speaker, I'm directed by the  
7 Senate to inform the House that the Senate has taken the  
8 following action.

9 SPEAKER: The amendment is temporarily  
10 withdrawn.

11 Following the amendment, the clerk will read  
12 the amendment. Representative Martinez.

13 CLERK: Amendment by Martinez.

14 SPEAKER: The Chair recognizes Mr. Martinez.

15 REPRESENTATIVE MARTINEZ: Okay. Thank you,  
16 Mr. Speaker, Members.

17 We need to understand that there's no such  
18 thing as a free ID, and according to Texas and DPS, a  
19 person applying for a state ID must apply in person,  
20 present documents that verify their identity, complete  
21 an application and consent to be photographed,  
22 fingerprinted and provide your signature.

23 So, you must perform one of the forms of  
24 primary ID and two forms of secondary ID or one form of  
25 secondary and two forms of supporting ID.

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1           So, for primary ID, it includes Texas  
2 driver's license, U.S. citizenship certificate or  
3 certificate of naturalization, unexpired citizen ID  
4 card, resident alien card or temporary resident ID card,  
5 employment authorization card, foreign passport with a  
6 visa or U.S. military state card.

7           Secondary ID forms include original or  
8 certified copy of your birth certificate, an original or  
9 certified copy of the U.S. Department of State  
10 certification or birth abroad and, finally, an original  
11 or certified copy of the court order with the name and  
12 the date of birth, indicating the official change of  
13 name.

14           Some supporting IDs include vehicle titles,  
15 insurance policies, military records, original marriage  
16 license or divorce decrees, Social Security cards,  
17 actual pilot's license cards or expired driver's  
18 license.

19           So, Members, needless to say, it takes an ID  
20 to get an ID. So, therefore, we need to ensure that if  
21 we truly want to provide a free ID here in Texas for our  
22 voters that it actually is free, and to get this ID, it  
23 does cost you money.

24           SPEAKER: Mr. Walle, for what purpose?

25           REPRESENTATIVE WALLE: Mr. Speaker, will the

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11

1 gentleman yield?

2 SPEAKER: Would you yield?

3 REPRESENTATIVE MARTINEZ: Yes. Yes, sir, I  
4 will.

5 SPEAKER: He will.

6 REPRESENTATIVE WALLE: Representative  
7 Martinez, doesn't the bill currently allow you to get a  
8 free ID?

9 REPRESENTATIVE MARTINEZ: What is that?

10 REPRESENTATIVE WALLE: Doesn't the bill  
11 currently allow you to get a free ID?

12 REPRESENTATIVE MARTINEZ: Well, the bill  
13 says it allows you to get a free ID but, as seen, it  
14 takes an ID to get an ID.

15 So, let's say, for example, that you lose  
16 your driver's license, Mr. Walle, what happens -- what  
17 has to happen, you need to go and try to obtain a birth  
18 certificate that you have to pay, you need to get a  
19 certified copy that you pay \$22.

20 So, we're simply trying to say that if the  
21 State is interested in providing free IDs, they should  
22 truly be free. So, if you lose your ID, you don't have  
23 to go and pay to get a registered ID, that document  
24 should be free. That's all we're saying.

25 REPRESENTATIVE WALLE: Okay. Can you give

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12

1 me an example of what fees you -- what fees you see  
2 being incurred?

3 REPRESENTATIVE MARTINEZ: Sure. Like I  
4 mentioned that earlier, if I currently don't know where  
5 my original birth certificate is, it's probably still at  
6 my parents' house, for example, if I lost my Texas  
7 driver's license and tried to get the state issued free  
8 ID card, I would still have to incur a cost because I  
9 would to have provide a certified copy of my birth  
10 certificate. So, if I didn't know where that birth  
11 certificate was and I had to go and try and find that  
12 and I had to get a certified copy of that birth  
13 certificate, in trying to obtain and get a certified  
14 copy of the birth certificate, you have to pay \$22.

15 So, you're going to have to go down to your  
16 local vital statistics and pay \$22 in order to get that.  
17 And we're simply trying to say that if we're interested  
18 in obtaining a free ID card, that it should be free.

19 REPRESENTATIVE WALLE: Thank you.

20 SPEAKER: The Chair recognize Representative  
21 Harless.

22 REPRESENTATIVE HARLESS: Members, I'd like  
23 to make a motion to table this. The bill is about voter  
24 ID, not issuing documents for free ID.

25 SPEAKER: The Chair recognizes

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13

1 Representative Martinez.

2 REPRESENTATIVE MARTINEZ: Okay. Members, so  
3 then we're going to tell the people of Texas -- we're  
4 going to tell them that they're getting a free ID when  
5 they really aren't.

6 So, if you're going to go -- you lose your  
7 driver's license and you have to go obtain an ID, you're  
8 going to have get a certified copy of your birth  
9 certificate, so, you're still going to have to get --  
10 you have to pay for that.

11 So, all we're saying is if this is free, do  
12 not allow the people to have to go and pay for a  
13 certified copy of your birth certificate. If it's free,  
14 it should be a free across the board. So, let's not  
15 charge the people of Texas in order to vote.

16 That is a hidden poll tax on the people of  
17 Texas, Members, and I vote no on that motion to table.

18 SPEAKER: Mr. Martinez sends up an  
19 amendment. Representative Harless moves to table. The  
20 vote is on the motion to table. It's a record vote.  
21 The clerk ring the bell. Representative Gonzalez from  
22 El Paso voting no. Show Representative Harless voting  
23 aye. Show Representative Berman voting aye.

24 Have all voted? Being 100 ayes and 49 nays,  
25 motion to table prevails.

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1                   Following the amendment, the clerk will read  
2     the amendment.

3                   CLERK: Amendment by Raymond.

4                   SPEAKER: The Chair recognizes  
5     Representative Raymond.

6                   REPRESENTATIVE RAYMOND: Thank you,  
7     Mr. Speaker, Members. This is an amendment I started  
8     laying out a little while ago.

9                   Members, as you know, what this bill  
10    proposes is that you have to have your voter  
11    registration card. You have to show you're registered.

12                  Under current law, employers have to let you  
13    go vote. What they don't have to do is they don't have  
14    to let you go get the identification that you need to  
15    comply with this new proposed law.

16                  So, what I do with this amendment is say if  
17    you're a registered voter, you've got your registration  
18    card and you go to vote but you don't have the requisite  
19    ID that's laid out in this bill and you present a  
20    paycheck or a copy of another official employment  
21    document that includes the information of the voter's  
22    employer and informs the election officer that the  
23    voter's employer does not permit the voter to be absent  
24    from work for the purpose of obtaining photo  
25    identification and that offices of the Department of

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1 Public Safety are not open for at least two consecutive  
2 hours outside of the voter's working hours.

3 Very simply, Members, there will be people  
4 out there who are registered to vote but whose employers  
5 will not give them the time, as they currently have to  
6 under law, give them time to go vote, they won't give  
7 them the time to go get the ID that they need. So,  
8 that's what this amendment is about. Move adoption.

9 SPEAKER: The Chair recognizes  
10 Representative Van Taylor in opposition.

11 REPRESENTATIVE VAN TAYLOR: Mr. Speaker,  
12 Members, I rise in opposition to this amendment. This  
13 deals with people who already have jobs, and in order to  
14 have a job in this country, an individual must fill out  
15 an I-9 form. An I-9 form requires identification. So,  
16 I'm not really sure where this is coming from because  
17 these people already had ID to get a job in the first  
18 place. I move to table this amendment.

19 SPEAKER: Mr. Raymond, for what purpose?

20 REPRESENTATIVE RAYMOND: Mr. Speaker, will  
21 the gentleman yield?

22 SPEAKER: Will the gentleman yield?

23 REPRESENTATIVE VAN TAYLOR: I yield.

24 REPRESENTATIVE RAYMOND: Repeat that,  
25 Mr. Van Taylor, because I didn't quite hear you. I

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1 apologize.

2 REPRESENTATIVE VAN TAYLOR: Sure. For an  
3 individual -- for a U.S. citizen -- and there are --  
4 only U.S. citizens should be registered to vote in this  
5 state -- to have a job, they must fill out an I-9 form  
6 for their employer. To fill out an I-9 form, they have  
7 to have some form of identification.

8 REPRESENTATIVE RAYMOND: Okay. So, is there  
9 a scenario that you can envision, Mr. Van Taylor, where  
10 somebody went to work for you, let's say, ten years ago,  
11 right, and they had to fill out the proper forms and  
12 show you the proper ID, et cetera, right?

13 REPRESENTATIVE VAN TAYLOR: Correct.

14 REPRESENTATIVE RAYMOND: Ten years ago. Can  
15 you imagine that there would be an instance in this  
16 state of 25 million people where registered and eligible  
17 voters might for some reason ten years later -- might  
18 for some reason ten years later not have the ID that is  
19 being required in this bill? Could you imagine that  
20 scenario?

21 REPRESENTATIVE VAN TAYLOR: Yes.

22 REPRESENTATIVE RAYMOND: Okay. So, you can  
23 imagine what I'm trying to get to here, which is you're  
24 exactly right, if they work for Van Taylor and they show  
25 up at the polling place and they have a voter



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17

1 registration card and they have something from Van  
2 Taylor, Inc. saying, you know, "I did not provide them  
3 time to go get a new ID as is required by this bill" --

4 REPRESENTATIVE VAN TAYLOR: There was a  
5 question there somewhere, I'm sure.

6 REPRESENTATIVE RAYMOND: Yeah. I just said  
7 can you imagine that if somebody worked for you, you  
8 hired them legally ten years ago, some point since then  
9 they lost the ID, this bill passes, this bill becomes  
10 law, they lost their ID but Van Taylor, Inc. didn't let  
11 them -- give them time during the day to go get the ID  
12 that they needed, you can also imagine in a state of 25  
13 million people that there could be instance likes that?

14 REPRESENTATIVE VAN TAYLOR: Well, in the  
15 example you just gave, there are opportunities for  
16 someone to get their driver's license either on line, as  
17 many of us have done, or -- or by mail.

18 REPRESENTATIVE RAYMOND: I'm not sure you  
19 can go get our -- what you're asking for in this bill,  
20 that you could get it on line.

21 REPRESENTATIVE VAN TAYLOR: The original  
22 form of identification, which you would have to have for  
23 the I-9 form, since we're only talking about the  
24 employed people who are U.S. citizens, you can -- you  
25 have to show up in person to get your first driver's

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1 license, to get photo ID, we have to take your picture  
2 somehow, of course. Subsequently, after we've gotten  
3 your picture, you can renew for a number of times on  
4 line.

5 REPRESENTATIVE RAYMOND: You haven't had  
6 your driver's license for six years?

7 REPRESENTATIVE VAN TAYLOR: One moment.

8 SPEAKER: Stop the clock.

9 REPRESENTATIVE VAN TAYLOR: There's  
10 extensive training for poll workers and election judges  
11 in how to handle it when someone doesn't have  
12 identification. We already have -- we have a  
13 provisional ballot system but the supposition that  
14 you're making that people may show up to the polls  
15 without an ID, which could happen and this bill  
16 envisions that and gives the voter the opportunity to  
17 take care of that, but your original premise that people  
18 who are employed in this state don't have photo ID  
19 doesn't hold up when you look at the federal requirement  
20 for the I-9 form.

21 REPRESENTATIVE RAYMOND: Well, it does, as  
22 you acknowledged just a minute ago that if somebody went  
23 to work for you ten years ago and you hired them  
24 legally, that ten years later, they might not have the  
25 ID that they had ten years ago. They might have lost

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19

1 it. Would you -- you acknowledged that earlier. Would  
2 you acknowledge that now?

3 REPRESENTATIVE VAN TAYLOR: I do.

4 REPRESENTATIVE RAYMOND: Finally, let me ask  
5 this, Mr. Van Taylor: Do you know what those of us who  
6 are opposed to this legislation are doing? We're trying  
7 to protect voting rights. You recognize that, right?

8 REPRESENTATIVE VAN TAYLOR: Absolutely, as  
9 are the proponents of this bill. We seek to protect  
10 voting rights by protecting the --

11 REPRESENTATIVE RAYMOND: Then let me ask you  
12 this --

13 REPRESENTATIVE VAN TAYLOR: -- by making  
14 sure that every vote counts, and that's what this bill  
15 is ultimately about and what we seek to do in our  
16 support of voter ID.

17 REPRESENTATIVE RAYMOND: Let me ask you a  
18 simple question. Do you believe the Voting Rights Act  
19 is a good law?

20 REPRESENTATIVE VAN TAYLOR: I believe the  
21 Voting Rights Act did a great thing to protect  
22 Americans' right to vote, all Americans regardless of --

23 REPRESENTATIVE RAYMOND: So, you believe the  
24 Voting Rights Act is still necessary?

25 REPRESENTATIVE VAN TAYLOR: Yes.

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1 REPRESENTATIVE RAYMOND: Is that because you  
2 believe discrimination still exists?

3 REPRESENTATIVE VAN TAYLOR: I think of the  
4 Voting Rights Act -- there are many aspects of it that  
5 protect our ability to vote.

6 REPRESENTATIVE RAYMOND: Well, if it's  
7 protecting discrimination in the voting place, so, if  
8 you believe it's a good law, do you believe  
9 discrimination in the voting place still exists?

10 REPRESENTATIVE VAN TAYLOR: I'm not sure  
11 where you're going with this.

12 REPRESENTATIVE RAYMOND: No. No. This  
13 is -- it's I'm not going anywhere. This is very simple.  
14 This is about protecting voting rights, and I asked you  
15 if you believed the Voting Rights Act was a good law.  
16 You said yes, right?

17 REPRESENTATIVE VAN TAYLOR: This bill that  
18 we're debating right here on the floor is about voter  
19 identification at the polling station when people vote  
20 in the State of Texas.

21 REPRESENTATIVE RAYMOND: And any time you  
22 deal with a law that has to do with voting, you have to  
23 take into consideration the rights of people to vote.  
24 Any time you deal with a law as comprehensive and big as  
25 this -- as comprehensive and big as this, you have to

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1 take into account people's voting rights. You would  
2 agree with that, right?

3 REPRESENTATIVE VAN TAYLOR: I think that it  
4 is important to remember that this bill is about making  
5 sure that the right people show up on election day  
6 and --

7 REPRESENTATIVE RAYMOND: That the right  
8 people show up on election day?

9 REPRESENTATIVE VAN TAYLOR: Well --

10 REPRESENTATIVE RAYMOND: Who are the right  
11 people?

12 REPRESENTATIVE VAN TAYLOR: The people who  
13 are registered vote and can demonstrate they are who  
14 they say they are through having proper voter  
15 identification.

16 REPRESENTATIVE RAYMOND: Again -- and I'll  
17 let you go after this but I just want to establish you  
18 and I serve on committees together, it's been great  
19 getting to know you. You acknowledge that we still need  
20 the Voting Rights Act because the Voting Rights Act  
21 prevents discrimination in the polling place and if you  
22 still think we need it, presumably you believe there's  
23 still problems?

24 REPRESENTATIVE VAN TAYLOR: Mr. Chairman, as  
25 you well know, this -- this type of legislation, voter

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1 identification, has been approved under the Voters Right  
2 Act in other states. I mean, this is -- this has  
3 already been litigated by other states.

4 But the point of your amendment, coming back  
5 to what I think you wanted to talk about here today,  
6 which is the ability of people who have jobs who somehow  
7 might not have identification, those people in this  
8 country who have jobs have to fill out an I-9 form.  
9 That requires identification.

10 REPRESENTATIVE RAYMOND: And along those  
11 lines, according to the -- what web site is this -- the  
12 Workforce Commission, it says in order to get an I-9,  
13 you have to have a voter registration card and a Social  
14 Security account number to get an I-9, which means those  
15 are the two things you need to get a photo ID.

16 REPRESENTATIVE VAN TAYLOR: That is -- those  
17 are two possible combinations from list A -- excuse  
18 me -- from list B and list C.

19 REPRESENTATIVE RAYMOND: That's all you  
20 need. So, to get an I-9, you need a voter registration  
21 card and a Social Security card. So, would you agree  
22 then that if somebody has a voter registration card and  
23 Social Security card, they ought to be able to vote,  
24 too, if they're registered to vote, obviously?

25 REPRESENTATIVE VAN TAYLOR: Clearly.

1 REPRESENTATIVE RAYMOND: You do? Then I can  
2 offer that amendment. Do you want to -- do you want to  
3 tell Ms. Harless back there? Do you want to offer it  
4 together?

5 REPRESENTATIVE VAN TAYLOR: Look, we -- it  
6 is important that we have a voter identification  
7 requirement in this state to make sure that when people  
8 show up to vote, they are who they say that they are.

9 REPRESENTATIVE RAYMOND: Do you think it is  
10 sufficient, as it is under law, that in order to get an  
11 I-9 card, which you hang this whole thing on, that all  
12 you need are a voter registration card and a Social  
13 Security number? Do you think that's sufficient to get  
14 an I-9 card? That's what the law is. Do you agree with  
15 the law or disagree with it?

16 REPRESENTATIVE VAN TAYLOR: Mr. Chairman,  
17 this is a narrowly-defined bill. It is designed to make  
18 sure that the people who show up to vote are, in fact,  
19 who they say they are. The fact is it is too simple to  
20 steal a voter identification card and use that for in  
21 person ballot fraud.

22 I have witnessed it with my own eyes. We  
23 talked about this Monday, in Representative Anchia's  
24 district. I watched somebody walk in and say, "Somebody  
25 took my voter registration card. I'm here to vote," and

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1 they were denied the right to vote.

2 SPEAKER: Representative Sheffield raised a  
3 point of order, gentlemen. Time is expired. Point of  
4 order --

5 REPRESENTATIVE RAYMOND: Mr. Speaker, I'd  
6 ask that the -- that our exchanged be reduced to writing  
7 and entered in the journal.

8 Thank you.

9 SPEAKER: Now that you've heard the motion,  
10 is there objection?

11 The Chair hears none. So ordered.

12 The Chair recognizes Mr. Raymond to close.

13 REPRESENTATIVE RAYMOND: Members, I know  
14 it's hard to listen when we've got an extended debate  
15 but as Mr. Van Taylor just mentioned, an I-9 form -- an  
16 I-9 ID is very important in his world as an employer,  
17 and all you need to get an I-9 form is a voter  
18 registration card and a Social Security number.

19 I -- basically, what I'm doing with this  
20 amendment is matching it up to what we do right now to  
21 get an I-9 form.

22 To not pass this -- to not pass this  
23 amendment, which the motion has been made to table, to  
24 not pass this amendment when current law in the State of  
25 Texas, which I imagine many of the members in here voted

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1 for, says that all you need for an I-9 card is a  
2 voter registration card -- an I-9 ID is a voter  
3 registration card and a Social Security number, that  
4 that works there but when it comes to voting, you're  
5 going to vote down an amendment -- if you vote aye on  
6 the motion to table, you're voting down an amendment  
7 that says voting -- you have less protections as a voter  
8 and less rights as a voter than you do as a worker.

9 So, I ask that you vote no on the motion to  
10 table and -- and I think that Mr. Van Taylor asks that  
11 you vote aye.

12 SPEAKER: Representative Raymond sends up an  
13 amendment. Mr. Van Taylor moves to table. The question  
14 is on the motion to table. Record vote. Clerk will  
15 ring the bell.

16 Show Mr. Van Taylor voting aye. Show  
17 Ms. Harless voting aye. Show Mr. Raymond voting no.

18 Have all voted? Being 101 ayes and 48 nays,  
19 motion to table prevails.

20 Following the amendment, clerk will read the  
21 amendment.

22 CLERK: Amendment by Duke.

23 SPEAKER: The Chair recognizes  
24 Representative Dukes.

25 REPRESENTATIVE DUKES: Thank you,

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1 Mr. Speaker, Members. This is a very simple amendment.  
2 It allows for a temporary driving permit issued to the  
3 person by the Department of Public Safety to be used as  
4 a valid form of identification enabled to vote.

5 A temporary driver's permit is issued by the  
6 State of Texas. It shows the name and address of the  
7 person and includes an expiration date.

8 In order to qualify, a person -- the permit  
9 must include the person's name, the Texas driver's  
10 license number, their birth date, their address, a  
11 physical description of them.

12 Having a temporary driving permit shouldn't  
13 hindered a person's ability to vote and, if adopted,  
14 would allow more individuals to have access to the  
15 voting process.

16 SPEAKER: Mr. Villarreal, for what purpose?

17 REPRESENTATIVE VILLARREAL: Mr. Speaker,  
18 will the gentlelady yield for questions?

19 REPRESENTATIVE DUKES: I yield.

20 SPEAKER: She yields.

21 REPRESENTATIVE VILLARREAL: Ms. Dukes, how  
22 long has an out of state photo ID been an acceptable  
23 form of photo ID for voting?

24 REPRESENTATIVE DUKES: Excuse me. Could  
25 you -- could you repeat the question?

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1 REPRESENTATIVE VILLARREAL: Sure. How long  
2 has an out of state photo ID been an acceptable form of  
3 ID for voting?

4 REPRESENTATIVE DUKES: I'm not certain. Can  
5 you tell me?

6 REPRESENTATIVE VILLARREAL: Well, since the  
7 75th legislature, in fact. I'm so glad you asked.

8 Are you aware of any voter fraud involving  
9 the use of out of state photo ID?

10 REPRESENTATIVE DUKES: I can't recall any.  
11 Can you tell me?

12 REPRESENTATIVE VILLARREAL: Neither can I.  
13 I think there -- my understanding is that there has not  
14 been any documentation of an out of state photo ID being  
15 used in inappropriate voting.

16 REPRESENTATIVE DUKES: You know --

17 REPRESENTATIVE VILLARREAL: Thank you for  
18 your amendment.

19 REPRESENTATIVE DUKES: You know, one would  
20 assume that this bill is strictly about having an ID to  
21 vote, not about creating an additional offense within  
22 the law as a reason why an individual would lose their  
23 right to vote.

24 A temporary driver's permit usually is for,  
25 you know, individuals that may have an infraction far

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1 less than the felony that a federal law or state law  
2 requires in removing one's license and not having the  
3 ability to vote. So, one would assume that one should  
4 not be penalized for a valid temporary driving permit  
5 from their right in the process to vote.

6 REPRESENTATIVE PHILLIPS: : Mr. Chairman,  
7 will the gentlelady.

8 REPRESENTATIVE DUKES: Yes, I yield.

9 REPRESENTATIVE PHILLIPS: Does the document  
10 you're talking about have a picture on it?

11 REPRESENTATIVE DUKES: Yes, sir. It has a  
12 physical description of the person.

13 REPRESENTATIVE PHILLIPS: Does it have a  
14 picture?

15 REPRESENTATIVE DUKES: Their height, their  
16 weight. In some cases, some of them do, in some cases,  
17 but it shows their name, their address, their expiration  
18 date. It's issued by the State of Texas.

19 REPRESENTATIVE PHILLIPS: Does it have --

20 REPRESENTATIVE DUKES: It has a driver's  
21 license number.

22 REPRESENTATIVE PHILLIPS: But you can't  
23 guaranty that it will have a picture on it if we vote  
24 for your amendment?

25 REPRESENTATIVE DUKES: A temporary driver's

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1 permit, though, it's still issued by the State of Texas  
2 and it still has everything that --

3 REPRESENTATIVE PHILLIPS: Thank you.

4 REPRESENTATIVE DUKES: -- that could be  
5 used.

6 You are most welcome. And I move passage.

7 SPEAKER: The Chair recognizes  
8 Representative Harless in opposition.

9 REPRESENTATIVE HARLESS: Thank you, Members.  
10 I would request that you vote to table this amendment.

11 Temporary ID has a photo on it. We got a  
12 letter from the DPS saying that when they issue a  
13 temporary ID or a driver's license, they have photos on  
14 them.

15 They also testified that their time  
16 turnaround is 15 days. I ask that you table this.

17 REPRESENTATIVE DUKES: Mr. Speaker?

18 SPEAKER: Ms. Dukes, for what purpose?

19 REPRESENTATIVE DUKES: Will the gentlelady  
20 yield?

21 REPRESENTATIVE HARLESS: Yes.

22 SPEAKER: She yields.

23 REPRESENTATIVE DUKES: It's not necessarily  
24 true that all of the temporary driving permits have a  
25 picture on them. There are -- as a matter of fact, when

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1 I requested some information from DPS on Friday, there  
2 are large numbers of individuals that have these  
3 temporary permits that do not have their IDs on them and  
4 they look more like this than what you're talking about  
5 but yet they are not individuals who have committed a  
6 felony under the law as to why their license would have  
7 been removed.

8 Are you -- is it your intent to create an  
9 additional penalty under the law to take away a person's  
10 right to vote by preventing them from having the ability  
11 to vote with a temporary driving permit?

12 REPRESENTATIVE HARLESS: The -- the -- the  
13 specific ID spelled out in the bill is very, very broad.  
14 You can have a driver's license. You can have a Texas  
15 ID -- a Texas driver's license, a Texas ID, a passport.  
16 You can have a citizen certificate with your picture on  
17 it. You can have a concealed handgun license.

18 These are standardized forms, and they're  
19 the acceptable forms for voting in person at -- on a  
20 polling day.

21 Now, if you do not have one of those forms,  
22 you can always cast a provisional ballot and bring back  
23 the information and have your ballot counted.

24 REPRESENTATIVE DUKES: Explain to me why a  
25 temporary driving permit issued by the State of Texas is

1 not good enough under your bill since you're the author  
2 of it. In your mind, why is it not good enough to have  
3 a temporary driving permit?

4 REPRESENTATIVE HARLESS: Because there's not  
5 necessarily on -- DPS says that they have a photo on  
6 their driver's license and ID cards that are temporary.

7 REPRESENTATIVE DUKES: Not true. There are  
8 some that use a form that look just like this. If we  
9 need to walk -- I know this is a far distance. If we  
10 need to walk it down to you, then we can do that but  
11 there are some temporary permits that may not have that  
12 ID but what I don't understand is that if it's a  
13 government, State of Texas issued temporary driving  
14 permit, why is that not good enough when it already has  
15 a physical description of the person, it has their  
16 address, it has their age, it has an expiration date,  
17 the color of their eyes, their height, their weight,  
18 noting their sex, why is that not good enough?

19 Is it just that you're trying to say that  
20 anyone -- anyone, even if it's not a felony because  
21 that's the only reason why someone's license would be  
22 suspended and they would not have the right to vote  
23 under the federal or state law, are you trying to say  
24 now that a misdemeanor or someone who is brand new just  
25 shouldn't have the right to vote? Because you're

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1 stretching it.

2 REPRESENTATIVE HARLESS: Do you want me to  
3 answer or do you want to --

4 REPRESENTATIVE DUKES: I want you to answer  
5 directly on that question.

6 REPRESENTATIVE HARLESS: Okay. The  
7 temporary ID receipt does not have the security features  
8 that a physical ID card or driver's license has and it  
9 is easy to be duplicated. That is the reason we have --

10 REPRESENTATIVE DUKES: If a temporary  
11 driving permit is good enough to be used to drive and  
12 for many other purposes, why is it not good enough to  
13 vote when you haven't found any problems that you've  
14 been able to prosecute in the State of Texas?

15 REPRESENTATIVE HARLESS: We are talking  
16 about security features and showing that you are who you  
17 say you are when you show up to vote. A driver's  
18 license and ID card issued with a photo has those  
19 security provisions in it. A temporary driver's license  
20 or a temporary ID does not have those security features  
21 in it.

22 REPRESENTATIVE DUKES: So, you're saying  
23 that --

24 REPRESENTATIVE HARLESS: So, I'm saying that  
25 I'd like to make a motion to table.

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1 REPRESENTATIVE DUKES: So, you're saying to  
2 go in to vote, with these judges that are in the voting  
3 polling places, a temporary driving permit is not good  
4 enough for them but it's good enough for every officer  
5 who stops you on the street?

6 REPRESENTATIVE HARLESS: I'm saying that we  
7 have to protect the ballot box and --

8 REPRESENTATIVE DUKES: You have to protect  
9 the ballot box more than the police officer has to  
10 protect the street?

11 REPRESENTATIVE HARLESS: By making sure that  
12 you show a photo ID and that you are the person that you  
13 say you are, and the temporary ID and the temporary  
14 driver's license can be duplicated and --

15 REPRESENTATIVE DUKES: You're saying that  
16 the right to vote -- those -- not necessarily the right  
17 to vote but the people who are untrained working at the  
18 polls that they can't accept a temporary driving permit  
19 when the police officers can?

20 REPRESENTATIVE HARLESS: Well, under the  
21 bill, the training of the poll workers is now mandated.  
22 It's not optional. So, they will be trained on how to  
23 recognize the ID.

24 REPRESENTATIVE DUKES: So, you've just  
25 stated by your bill that anyone who is delinquent on

1 their child support, because they can have their  
2 driver's license pulled and have only a temporary ID,  
3 will no longer have the right to vote. That's a whole  
4 lot of people.

5 REPRESENTATIVE HARLESS: They have a right  
6 to vote a provisional ballot.

7 REPRESENTATIVE DUKES: But then you're  
8 making them -- your bill still makes them go and buy  
9 another form of ID. Why not use the ID that they are  
10 issued, a temporary driving permit?

11 REPRESENTATIVE HARLESS: Well, and they'll  
12 have a permanent ID as soon as it comes in, usually  
13 within 15 days.

14 REPRESENTATIVE DUKES: It sounds more like  
15 your bill is attempting to, one, create an offense under  
16 the law that prevents people from voting when it's not  
17 even a felony and the federal government doesn't prevent  
18 them from voting and, two, just to prevent people who  
19 you think are going to vote a certain way. Sad for the  
20 State of Texas. Really sad.

21 REPRESENTATIVE HARLESS: I move to table.

22 REPRESENTATIVE BURNAM: Mr. Speaker, would  
23 the lady yield? Mr. Speaker, will the lady yield?

24 SPEAKER: Just a minute, Mr. Burnam.

25 Ms. Harless yields.

1 REPRESENTATIVE BURNAM: I'm sorry.

2 Ms. Harless, did you yield?

3 REPRESENTATIVE HARLESS: Yes.

4 REPRESENTATIVE BURNAM: Thank you so much.

5 REPRESENTATIVE HARLESS: You're one of my  
6 favorites, of course.

7 REPRESENTATIVE BURNAM: Of course.

8 You may not be familiar, however, with the  
9 right of responsibility bill that Representative Berman  
10 and I both had in (Inaudible) public safety yesterday.  
11 And if you're not familiar with that bill, you may not  
12 be aware that every year -- every year for the last five  
13 years people have had -- 100,000 Texans a year have had  
14 their driver's license suspended. They've had that  
15 driver's license taken from them, and they are issued  
16 the form that Representative Dukes was showing you from  
17 the back mic.

18 And I'm just wondering what you propose to  
19 do. Are all 100,000 people per year just going to have  
20 to vote provisionally?

21 REPRESENTATIVE HARLESS: I don't know how  
22 many of those hundred thousand people are actually  
23 registered to vote.

24 REPRESENTATIVE BURNAM: Well, in theory,  
25 they have the opportunity, most of them, the ones that

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1 are over 21 and qualify. So, let's just knock it down  
2 and say only 75,000 a year are denied the right to  
3 drive, their driver's license is suspended, are you  
4 going to say that these people are all going to have to  
5 vote provisionally?

6 REPRESENTATIVE HARLESS: If they don't have  
7 another alternative form of photo ID, such as a passport  
8 or citizenship paper with their photo on it or either a  
9 CHL license, if they --

10 SPEAKER: Representative Phillips raised a  
11 point of order. The gentleman's time expired. Point of  
12 order is well taken. Sustained.

13 The Chair recognizes Representative Harless.

14 REPRESENTATIVE HARLESS: I'm removing my  
15 motion to table so Representative Dukes may close on her  
16 amendment.

17 SPEAKER: The Chair recognizes  
18 Representative Dukes.

19 REPRESENTATIVE DUKES: Thank you,  
20 Mr. Speaker and Members. Thank you Representative  
21 Harless for giving me the ability to close on this  
22 amendment.

23 Members, having a temporary driving  
24 permit -- what class of voters would be excluded from  
25 voting if we didn't allow a temporary driving permit? A

1 temporary driving permit is issued to adult drivers,  
2 legal minorities and commercial truck drivers who may  
3 have lost their photo identification due to various  
4 offenses or alcohol related offenses.

5 These offenses are punishable under the  
6 Texas Transportation Code 524.011. Over 100,000  
7 individuals per year will be excluded if they are not  
8 allowed to utilize their temporary driving permit, which  
9 does not include a photo of them.

10 Now, why is the ID needed? Because young  
11 voters, adult drivers and commercial drivers or truck  
12 drivers who have a temporary driving permit should not  
13 be further punished by not being allowed to vote because  
14 they made a mistake while driving.

15 We have even had some who have been allowed  
16 to pass on and run for higher office with these little  
17 minor mistakes. So, we shouldn't take away their right  
18 to vote.

19 A driving infraction or mistake should not  
20 be punished by disallowing a person access to the polls  
21 because he or she carries an alternative ID.

22 We need to make sure when persons are  
23 punished for one action in our community, they are not  
24 punished for another action, especially one as important  
25 as their right to cast a vote.

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1 Under the federal --

2 SPEAKER: Mr. (Inaudible), for what purpose?

3 REPRESENTATIVE ALISEDA: Does the gentlelady  
4 yield?

5 REPRESENTATIVE DUKES: Yes, I do yield.

6 SPEAKER: She yields.

7 REPRESENTATIVE ALISEDA: I practice some DWI  
8 law back home in my district, and one of the common  
9 occurrences is that an individual gets stopped and has  
10 over the blood alcohol limit that's required by law, has  
11 their license taken, and then there's a suspension  
12 procedure, and they're given a yellow form that is a  
13 temporary driving permit and it's good until there is a  
14 hearing and an administrative law judge makes a  
15 decision.

16 When I have a client like that that needs  
17 identification, I send them down to the DPS office, and  
18 they are able to get a temporary identification card to  
19 use for the purposes that they need an identification  
20 for.

21 So, in those instance that you're citing, I  
22 don't see any reason why -- or maybe you can tell me why  
23 they could not go to the DPS office and get this  
24 temporary -- excuse me -- this identification card,  
25 which is used -- a photo identification card, which is

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1 used for purposes of identification and is also a valid  
2 ID form for voting in this state under this bill.

3 REPRESENTATIVE DUKES: Why should they have  
4 to go and get an additional one? You're basically --  
5 you're representing these individuals who are -- you're  
6 a defense attorney, is that what you're saying you are?

7 REPRESENTATIVE ALISEDA: Yes.

8 REPRESENTATIVE DUKES: With DWI?

9 REPRESENTATIVE ALISEDA: Yes.

10 REPRESENTATIVE DUKES: They've been charged  
11 by the Court once?

12 REPRESENTATIVE ALISEDA: Excuse me?

13 REPRESENTATIVE DUKES: They've been charged  
14 by the Court?

15 REPRESENTATIVE ALISEDA: Yes. They don't  
16 necessarily have to be charged by the Court because the  
17 charge still hasn't been filed. When the officer -- the  
18 DPS officer takes their identification because they've  
19 blown over the legal limit or because they've refused  
20 the blood test or the breath test, they are issued a  
21 yellow form, a license suspension form.

22 And they tell me, "What am I going to do now  
23 without a photo ID to go check out a movie," or whatever  
24 it is they need to do with a photo ID.

25 I send them over to the DPS office, and they

1 get a photo ID and they're able to function with their  
2 temporary permit, that little yellow piece of paper, and  
3 they use a photo ID from the DPS when they need to use a  
4 photo ID.

5 REPRESENTATIVE DUKES: Yeah, but, you know,  
6 that is -- what you're talking about is something a  
7 little bit different than the right -- the guaranteed  
8 right to vote.

9 They've had an offense under the law, and  
10 they are paying you to get them off of their DWI. So,  
11 you're giving them advice to do something but there are  
12 some folks who have these temporary IDs that they've  
13 already dealt with their situation. Now we're stating  
14 we're going to take away your ability -- or make it more  
15 difficult for you to have a right to vote.

16 REPRESENTATIVE ALISEDA: My point is they  
17 can go obtain the DPS ID, the same DPS ID that I tell my  
18 clients to go obtain.

19 REPRESENTATIVE DUKES: Why do you want to  
20 make it so much difficult for people to vote?

21 REPRESENTATIVE ALISEDA: It's not a question  
22 of making it difficult to vote.

23 REPRESENTATIVE DUKES: Yes, it is. Yes, it  
24 is, because it's not that difficult now. Who is it  
25 truly that you don't want to give the ability to vote?



1 REPRESENTATIVE ALISEDA: That is not -- that  
2 is not my purpose.

3 REPRESENTATIVE DUKES: Because I will tell  
4 you one thing, this temporary driving permit is going to  
5 affect a whole lot of people but not a whole bunch of  
6 them are going to live in my district. So, really, you  
7 need to think again about the argument.

8 REPRESENTATIVE ALISEDA: It is my purpose to  
9 see that the system is fair and also that it is as  
10 secure as we can make it. There is nothing you can't do  
11 in this society that --

12 REPRESENTATIVE DUKES: Many of us have been  
13 trying to do that since prior 1964, to make sure it was  
14 fair and secure but this law is changing a whole lot of  
15 the things that my ancestors went through. It's  
16 changing it by making it more difficult for my ancestors  
17 and people who look like me to have the ability to go  
18 and vote. It's making it more difficult for people who  
19 are disenfranchised to have the ability to go down and  
20 to get some form of ID because they will be charged an  
21 additional amount.

22 This same concept of disenfranchisement  
23 that's taken away so many rights under HB 1 that will  
24 come up next week but I'll talk about that next week but  
25 don't take away the right that my people have had and

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1 access to vote. Don't try to make it more difficult for  
2 my people to have the ability to vote.

3 REPRESENTATIVE ALISEDA: Ma'am --

4 REPRESENTATIVE DUKES: Do whatever you want  
5 for your DWI folks, whatever. You advise them as you  
6 please.

7 REPRESENTATIVE ALISEDA: Ma'am --

8 REPRESENTATIVE DUKES: But don't advise my  
9 folks.

10 REPRESENTATIVE ALISEDA: Ma'am, I'm an  
11 immigrant to this country, and I came from Mexico. Do  
12 you know what they require in Mexico? They require a  
13 biometric identification to vote.

14 REPRESENTATIVE DUKES: Well, we're in Texas.

15 REPRESENTATIVE ALISEDA: That means a  
16 picture ID, including a fingerprint.

17 REPRESENTATIVE DUKES: We're in Texas.  
18 We're in Texas, and a whole bunch of things are  
19 different in Texas. We're in America. We're in  
20 America, and a whole lot of things are different. And  
21 one thing that we did have going for us, at least we had  
22 civil rights but that seems to be being rolled back.

23 REPRESENTATIVE ALISEDA: Thank you, ma'am.

24 SPEAKER: Mr. Burnam, for what purpose?

25 REPRESENTATIVE BURNAM: Will the lady yield?

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1 SPEAKER: Will you yield, Ms. Dukes?

2 REPRESENTATIVE DUKES: Yes.

3 SPEAKER: She yields.

4 REPRESENTATIVE BURNAM: Ms. Dukes, are you  
5 aware that my father-in-law and your constituent, the  
6 entire time you've been in office, Dr. Glenn Roarke, had  
7 his driver's license taken away from him for no cause,  
8 was not issued either -- any kind of documentation and  
9 had to make three different visits to three different  
10 DPS facilities here in Austin, Texas, taking over two  
11 hours each visit in order to get a temporary permit?

12 REPRESENTATIVE DUKES: No, I was not aware.

13 REPRESENTATIVE BURNAM: Ms. Dukes, are you  
14 aware that Tarrant County has grown exponentially in  
15 population over the last decade and now has over 1.7  
16 million, almost 1.8 million people in it and there are  
17 still only three DPS offices in the county and all three  
18 of them are outside the loop, not on bus lines?

19 REPRESENTATIVE DUKES: Wow, that's going to  
20 make it pretty difficult.

21 REPRESENTATIVE BURNAM: Yeah. Thank you.

22 SPEAKER: Representative (Inaudible) raised  
23 a point of order that the gentlelady's time has expired.  
24 The point is well taken.

25 REPRESENTATIVE DUKES: Vote against the

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1 motion to table.

2 SPEAKER: Representative Dukes has an  
3 amendment. Representative Harless moves to table. The  
4 question is on the motion to table. All in favor vote  
5 aye, all opposed no. Clerk ring the bell. Show  
6 Ms. Dukes voting no.

7 Have all members voted? By a vote of 99  
8 ayes, 49 nays, 2 present not voting, the motion is  
9 tabled.

10 Following the amendment, the clerk will read  
11 the amendment.

12 CLERK: Amendment by Dutton.

13 SPEAKER: The Chair recognizes Mr. Dutton to  
14 explain his amendment.

15 REPRESENTATIVE DUTTON: Mr. Speaker and  
16 Members, as I read through the bill, one of the things  
17 that struck me was the reference to the personal  
18 identification certificate that's required under this  
19 bill.

20 And what this amendment simply does is just  
21 adds the two words voter's certificate to it so that it  
22 would now read a personal identification voter's  
23 certificate. And that's really all it does.

24 SPEAKER: The Chair recognizes  
25 Representative Harless to speak against the amendment.

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1 REPRESENTATIVE HARLESS: Members, there's  
2 certain information on your voter's certificate, your  
3 voter registration card. You will still continue under  
4 this legislation to get a voter's registration card that  
5 tells you your home precinct, your senatorial district,  
6 your congressional district.

7 And this amendment replaces the voter  
8 registration card with a personal identification voter  
9 card. It's unnecessary and it would be expensive to the  
10 counties -- to the state. Sorry.

11 SPEAKER: Mr. Dutton, for what purpose?

12 REPRESENTATIVE DUTTON: Will the gentlelady  
13 yield?

14 REPRESENTATIVE HARLESS: I will.

15 SPEAKER: She yields.

16 REPRESENTATIVE DUTTON: Ms. Harless, will  
17 you take a look at that amendment again because I don't  
18 think you really intended to misrepresent what the  
19 amendment does. Your bill -- do you know that your bill  
20 contains a reference to a personal identification  
21 certificate in here?

22 REPRESENTATIVE HARLESS: Yes, that's the  
23 voter registration card.

24 REPRESENTATIVE DUTTON: But it's called a  
25 personal identification certificate; isn't that right?

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1 REPRESENTATIVE HARLESS: Right.

2 REPRESENTATIVE DUTTON: And that's what it's  
3 termed. And all this does is just makes it clear that  
4 that personal identification certificate is really a  
5 personal identification voter certificate, which is what  
6 I thought you intended it to be.

7 REPRESENTATIVE HARLESS: Your -- your  
8 personal identification voter card that is issued in the  
9 bill is a voter registration card issued by the  
10 registrar.

11 REPRESENTATIVE DUTTON: But it's not --

12 REPRESENTATIVE HARLESS: What you're --

13 REPRESENTATIVE DUTTON: -- called anything,  
14 is it?

15 REPRESENTATIVE HARLESS: Excuse me. What  
16 you're doing in Section 20 is addressing the  
17 Transportation Code, which, in essence, would mean  
18 everybody would get a voter ID card issued through the  
19 Texas Department of Transportation, and that would make  
20 it very expensive.

21 REPRESENTATIVE DUTTON: No. No.

22 REPRESENTATIVE HARLESS: We talked earlier  
23 about this dollar --

24 REPRESENTATIVE DUTTON: I think if you'll  
25 read the amendment more closely, what you'll realize is

1 that that's not what it does. What it does is simply  
2 says if you're getting the personal identification card  
3 for voter purposes, then it would be called a personal  
4 identification voter certificate.

5 That's -- that's really all it does. It  
6 doesn't change that. It doesn't change the part that  
7 you're suggesting that it does.

8 REPRESENTATIVE HARLESS: So, tell me what  
9 the purpose of this is.

10 REPRESENTATIVE DUTTON: So that -- so that  
11 there's a distinction being -- ought to be made between  
12 just a regular personal identification card and one that  
13 is designed solely for -- to be used as a voter. That's  
14 all it does.

15 REPRESENTATIVE HARLESS: I don't see that.

16 REPRESENTATIVE DUTTON: Well, it might  
17 require you to look at the amendment a little closer and  
18 the bill a little closer, too, because I think -- well,  
19 not you. You've got to do it like this but it doesn't  
20 change anything.

21 REPRESENTATIVE HARLESS: Well, do you want  
22 to talk about this some more because we haven't  
23 discussed this?

24 REPRESENTATIVE DUTTON: I think we have all  
25 night.

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1 REPRESENTATIVE HARLESS: Okay.

2 SPEAKER: Representative Dutton sends up an  
3 amendment. Representative Harless moves to table.  
4 Representative Dutton to close.

5 REPRESENTATIVE DUTTON: Thank you,  
6 Mr. Speaker and Members. I thought this was an easy  
7 amendment but I guess not. Essentially, what this bill  
8 requires is if you want to go to the DPS to get a  
9 certificate for you to vote, then it's called under the  
10 bill a personal identification certificate.

11 What my amendment simply does is if you do  
12 that, it's called a personal identification voter's  
13 certificate. That's really all this does. And I  
14 don't -- I don't know. Maybe they don't -- it's not the  
15 amendment they don't like. Maybe it's the author but  
16 anyway, I move passage. I move -- all right. Okay.  
17 All these aw's, if you will change them to green light,  
18 to no votes, I will accept them.

19 SPEAKER: Mr. Dutton sends up an amendment.  
20 Representative Harless moves to table. All the aw's  
21 vote aye. All the nays vote no. Clerk ring the bell.

22 Have all voted? 96 ayes, 49 nays, 2 voters  
23 not voting, the motion tabled prevails.

24 Representative Allen. Following the  
25 amendment, the clerk will read the amendment.

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1 CLERK: Amendment by Allen.

2 SPEAKER: The Chair recognizes Ms. Allen to  
3 explain her amendment.

4 REPRESENTATIVE DR. ALLEN: Mr. Chairman and  
5 Members, this is a very simple bill -- amendment. It  
6 simply provides for those people who -- as already in  
7 the bill who already have expired IDs and in the bill,  
8 if the bill is expired for 60 days, you can vote. If  
9 the bill is expired for 61 days, you cannot vote.

10 An example would be a young man on my staff  
11 who is there now ordered his driver's license to be  
12 replaced -- to replace his expired driver's license  
13 September, 2010.

14 In January, he still had not received his  
15 driver's license. He had to wait in line all day to  
16 request it again. After haggling about whether or not  
17 it had been sent, he finally agreed to process a renewal  
18 form.

19 After that -- those of you from Dallas know  
20 that a fire occurred in the Dallas/Fort Worth mail  
21 facility. DPS sent him a letter asking -- informing him  
22 that his license had been destroyed in the fire and that  
23 it would take another two or three weeks.

24 On or about March the 9th, 2011, he finally  
25 received his license. About that time, he received his

1 notice that his driver's license had been destroyed in  
2 the fire.

3 It took him almost six months to finally get  
4 his license renewed. He didn't have a U.S. military ID  
5 card. He didn't have a U.S. citizen certificate. He  
6 didn't have a port -- passport, nor did he have a  
7 concealed handgun license.

8 I can point out this situation to you. If  
9 he had been able to use his old driver's license or one  
10 of his IDs or state issued ID, as you have in the bill,  
11 he would have been able to vote.

12 Now, I want to save the State of Texas  
13 money. You say you're giving a free ID to those people  
14 who want to vote and walk in and request one for the  
15 purpose of voting.

16 SPEAKER: (Inaudible) for what purpose?

17 REPRESENTATIVE DR. ALLEN: I'm sorry, I'm  
18 laying out my --

19 REPRESENTATIVE GUTIERREZ: I don't think  
20 she's done yet, Mr. Speaker. I'll wait until she's  
21 done.

22 REPRESENTATIVE DR. ALLEN: -- for the  
23 purpose of voting. How much will it cost the State of  
24 Texas to furnish a free ID to all of the persons who  
25 will walk up and ask for a free ID for voting?

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1                   That would possibly include like I have lost  
2 my driver's license right now, probably be me standing  
3 in line. Or the person whose license plates -- driver's  
4 license who have expired, any form of ID that you have  
5 in this bill.

6                   I'm simply asking that you extend the time  
7 to any driver's license -- or any ID issued by the state  
8 expired for any length of time. You are who you are.  
9 You do not change. This will save the state millions of  
10 dollars in free ID cards.

11                   It will give the opportunity for grandma --  
12 I know she's in there somewhere, we are in there  
13 somewhere, over 60, over 70, who doesn't drive any more  
14 but she had a driver's license, to use her old driver's  
15 license, for those who have had a wreck and become  
16 handicapped, had a driver's license, can't drive any  
17 more, could use their old ID.

18                   I simply ask that you extend the 60 days  
19 until any length of time. It would save the state  
20 millions and millions of dollars.

21                   SPEAKER: Mr. Gutierrez, for what purpose?

22                   REPRESENTATIVE GUTIERREZ: Yes, Mr. Speaker.  
23 Will the gentlelady yield for questions?

24                   SPEAKER: Do you yield?

25                   REPRESENTATIVE DR. ALLEN: I will. Thank

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1 you.

2 SPEAKER: She yields.

3 REPRESENTATIVE GUTIERREZ: Representative  
4 Allen, you're aware that the State of Georgia has a  
5 voter identification, voter impersonation statute,  
6 whatever you want to call it, they have a similar type  
7 legislation in Georgia, you're aware of that, correct?

8 REPRESENTATIVE DR. ALLEN: I've heard that  
9 today.

10 REPRESENTATIVE GUTIERREZ: Did you know that  
11 in Georgia, Representative Allen, they require the  
12 same thing, a Georgia driver's license, even if expired?  
13 So, the good people of Georgia have determined that your  
14 amendment is a good idea and it has worked for them.  
15 So, I think --

16 REPRESENTATIVE DR. ALLEN: I -- yes, I think  
17 it's a good amendment.

18 REPRESENTATIVE GUTIERREZ: So, you --

19 REPRESENTATIVE DR. ALLEN: It would be good.  
20 We wouldn't have to drag grandma to the DPS station.  
21 She could use her old card.

22 REPRESENTATIVE GUTIERREZ: So, if it's good  
23 enough for the people in Georgia, it should be good  
24 enough for the people in Texas, should it not?

25 REPRESENTATIVE DR. ALLEN: I think so.

1 REPRESENTATIVE GUTIERREZ: Well, Dr. Allen,  
2 I think you have a very good amendment. It's,  
3 obviously, worked for the State of Georgia. I think  
4 that what we're talking about here is reasonableness.  
5 And as you stated earlier, our identities don't change.

6 REPRESENTATIVE DR. ALLEN: That's right.

7 REPRESENTATIVE GUTIERREZ: And we shouldn't  
8 burden people by simply -- they no longer need to go get  
9 that driver's license any more. Their old ID should  
10 work.

11 REPRESENTATIVE DR. ALLEN: Right. It takes  
12 a burden off the people and a burden off the state, too.

13 REPRESENTATIVE GUTIERREZ: Thank you, Dr.  
14 Allen. I appreciate it.

15 REPRESENTATIVE DR. ALLEN: You're welcome.

16 SPEAKER: Mr. Coleman, for what purpose?

17 REPRESENTATIVE COLEMAN: Yes. Will the  
18 gentlelady yield for questions?

19 REPRESENTATIVE DR. ALLEN: Yes,  
20 Representative Coleman.

21 SPEAKER: She yields.

22 REPRESENTATIVE COLEMAN: Representative  
23 Allen, first of all, if we tie something to a government  
24 ID that is not something that is permanent for all  
25 individuals and that ID expires because it is used for a

1 specific purpose, it wasn't -- not designed for  
2 voting --

3 REPRESENTATIVE DR. ALLEN: Right.

4 REPRESENTATIVE COLEMAN: -- do you think  
5 that an individual should be turned away or would they  
6 be turned away from voting if they had an expired  
7 license that went over a period of time, 61 days?

8 REPRESENTATIVE DR. ALLEN: No. I think that  
9 you are -- as I said, you are who you are, and after 61  
10 days, you don't change. You're the same person. I  
11 think that could -- that document can be used for  
12 voting, too.

13 REPRESENTATIVE COLEMAN: Okay. Because the  
14 difference that we're talking about is the idea that it  
15 has a picture, correct?

16 REPRESENTATIVE DR. ALLEN: Yes.

17 REPRESENTATIVE COLEMAN: Now, this is an  
18 interesting question. I went to get a driver's  
19 license -- renewal of a driver's license. You know you  
20 do it on line.

21 REPRESENTATIVE DR. ALLEN: Uh-huh.

22 REPRESENTATIVE COLEMAN: Right? And in the  
23 period of time that you're waiting for your driver's  
24 license, you have a piece of paper with no picture on  
25 it.

1 REPRESENTATIVE DR. ALLEN: Right. Right.

2 REPRESENTATIVE COLEMAN: So, that would not  
3 be a valid ID for going to vote under this bill; is that  
4 correct?

5 REPRESENTATIVE DR. ALLEN: That is correct.

6 REPRESENTATIVE COLEMAN: Okay. So, what  
7 happens if an individual comes in and tries to get vote  
8 with an expired ID card or driver's license or whatever  
9 the case may be?

10 REPRESENTATIVE DR. ALLEN: As this bill is  
11 written, that person would not have the opportunity to  
12 vote. It would be -- it would be among the 20 -- he  
13 could vote and it would be filed in the provisional  
14 ballots.

15 And you and I know that maybe 20 percent of  
16 those votes are counted in the election. That, too, is  
17 a fraud.

18 REPRESENTATIVE COLEMAN: And particularly  
19 because we've heard earlier in earlier discussion that  
20 provisional ballots in themselves -- it's actually in  
21 the bill it says that, well, even though you've done  
22 everything that you're supposed to do, you still -- your  
23 vote still may not be counted under the provisional  
24 ballots.

25 REPRESENTATIVE DR. ALLEN: Absolutely.

1 REPRESENTATIVE COLEMAN: I mean, that --  
2 that is just bad law --

3 REPRESENTATIVE DR. ALLEN: Yes.

4 REPRESENTATIVE COLEMAN: -- and bad  
5 circumstance. I appreciate the amendment that you  
6 brought because, you know, we heard something about  
7 finger imaging in Mexico --

8 REPRESENTATIVE DR. ALLEN: Yes.

9 REPRESENTATIVE COLEMAN: -- and we heard  
10 something about people taking a driver's license to rent  
11 a movie.

12 REPRESENTATIVE DR. ALLEN: Yes.

13 REPRESENTATIVE COLEMAN: Does the Red Box  
14 ask you for your driver's license?

15 REPRESENTATIVE DR. ALLEN: No, it doesn't.

16 REPRESENTATIVE COLEMAN: Yeah, I was about  
17 to say. Thank you very much.

18 REPRESENTATIVE DR. ALLEN: Yeah, and I  
19 was -- like I said, I lost my driver's license. So, I  
20 was over there trying to get a driver's license off of  
21 the Internet, and it asked me for the number that's on  
22 my driver's license. I don't have the driver's license.

23 REPRESENTATIVE COLEMAN: Exactly. There's  
24 this fantasy world out there that some people live in  
25 that you and I don't live in.



1 REPRESENTATIVE DR. ALLEN: Yes.

2 REPRESENTATIVE COLEMAN: Because as we go on  
3 line, the use of a picture ID for purchases or for any  
4 other thing, that is just not what's happening here.

5 REPRESENTATIVE DR. ALLEN: That's right.

6 REPRESENTATIVE COLEMAN: And in the real  
7 world somebody talks about a passport, how many people  
8 do you know in your district that have a passport?

9 REPRESENTATIVE DR. ALLEN: A passport?

10 REPRESENTATIVE COLEMAN: Yeah.

11 REPRESENTATIVE DR. ALLEN: Very few.

12 REPRESENTATIVE COLEMAN: Very, very few.

13 REPRESENTATIVE DR. ALLEN: I'm having to use  
14 mine now to get on the airplane.

15 REPRESENTATIVE COLEMAN: That's right.

16 REPRESENTATIVE DR. ALLEN: Very, very few  
17 people have a passport.

18 REPRESENTATIVE COLEMAN: The issue is I  
19 guess the folks out there who travel internationally  
20 quite a bit --

21 REPRESENTATIVE DR. ALLEN: Yes.

22 REPRESENTATIVE COLEMAN: -- they, obviously,  
23 have one but people who are taking the bus to work, they  
24 ain't even thinking about needing a passport to go on  
25 their vacation, do they?

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1 REPRESENTATIVE DR. ALLEN: They don't have  
2 passport nor bus fare.

3 REPRESENTATIVE COLEMAN: Thank you very  
4 much.

5 SPEAKER: Representative Sheffield raised  
6 the point of order that the gentlelady's time has  
7 expired. The point of order is well taken and  
8 sustained.

9 REPRESENTATIVE DR. ALLEN: Thank you.

10 SPEAKER: The Chair recognizes  
11 Representative Harless to speak on the amendment.

12 REPRESENTATIVE HARLESS: Members, this  
13 amendment allows for an expired ID with no limit but I'm  
14 going to leave this to the will of the House, so --

15 SPEAKER: Mr. Hochberg, for what purpose?

16 REPRESENTATIVE HOCHBERG: Will the  
17 gentlelady yield, please?

18 SPEAKER: Do you yield?

19 REPRESENTATIVE HARLESS: Yes, sir.

20 SPEAKER: She yields.

21 REPRESENTATIVE HOCHBERG: Representative  
22 Harless, we're seeing a lot of each other the last few  
23 days, aren't we? We're --

24 REPRESENTATIVE HARLESS: I -- I -- it's  
25 always a pleasure to see you.

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1 REPRESENTATIVE HOCHBERG: Likewise.

2 What -- what concerns me in particular about  
3 this provision in the bill is not only that we're saying  
4 that if it's over 60 days, it's no good when I don't  
5 change that quickly. I wish I changed that much in 60  
6 days that I couldn't be recognized but that there's no  
7 provision for any kind of unforeseen circumstance, for  
8 instance, did you consider what happens if -- let's say  
9 there was a fire at the driver's license place and a  
10 bunch of licenses burned up. Could you envision that  
11 happening?

12 REPRESENTATIVE HARLESS: I never thought  
13 about that but we did allow for a provisional ballot.

14 REPRESENTATIVE HOCHBERG: But you still have  
15 to then come back in with your license within six days.

16 REPRESENTATIVE HARLESS: Or one of the --

17 REPRESENTATIVE HOCHBERG: Are you aware that  
18 there actually was a fire at the driver's license  
19 processing facility earlier this year?

20 REPRESENTATIVE HARLESS: Which one?

21 REPRESENTATIVE HOCHBERG: It doesn't -- from  
22 the DPS website, it says a DPS vendor mailing facility.  
23 It happened in February and they lost 14,000 driver's  
24 licenses, which had to then be replaced again. And  
25 they're still telling folks you should get it by about

1 April 1st. So, even after the normal processing time,  
2 they now added several months.

3 And under those circumstances, if there had  
4 been an election, under your bill, I think folks would  
5 have been out of luck. You don't -- that couldn't  
6 possibly be something you intended.

7 REPRESENTATIVE HARLESS: The information I  
8 have is from DPS testimony in both the House and the  
9 Senate Committee, and they said that they usually can  
10 provide a driver's license after it's stolen or lost,  
11 within 15 to 20 days, at the longest 45 days, but as  
12 I've said, I'm not speaking against this amendment. I'm  
13 leaving it to the will of the House.

14 REPRESENTATIVE HOCHBERG: Thank you. Well,  
15 I think Ms. Allen has a -- Dr. Allen has a good  
16 amendment because it -- it takes care of these  
17 unforeseen circumstances at minimum and things getting  
18 lost in the mail that the voter and the driver has no  
19 control over. So, I appreciate you not moving to table  
20 this amendment.

21 REPRESENTATIVE HARLESS: Thank you.

22 SPEAKER: The Chair recognizes  
23 Representative Allen to close.

24 REPRESENTATIVE DR. ALLEN: Members, this is  
25 an opportunity for us to make the bill better than it

1 is. It's an opportunity for us to save money for the  
2 State.

3 Those of you who know me know that I don't  
4 file frivolous bills or frivolous amendments. I'm  
5 sincere about this.

6 This gives us an opportunity to let people  
7 vote on the ID that they have. We really don't change  
8 that much. And so, this time, we don't need to vote  
9 down party lines. We can vote for something that is  
10 good for the State of Texas, for its people and for the  
11 State and then they can save money and give its people  
12 an opportunity to participate in the voting process.  
13 And I request your vote on this bill. Thank you.

14 This --

15 SPEAKER: Representative Allen sends up an  
16 amendment. The vote is on the amendment. Vote aye,  
17 vote nay. The clerk will ring the bell.

18 Show Representative Allen voting aye.

19 Showing Representative Harless as voting --

20 Representative (Inaudible) voting aye. Aye. No.

21 Representative Crownover is no. Harper-Brown is going  
22 to vote.

23 Have all voted? Have all voted? By a vote  
24 of 56 ayes, 89 nays, 2 present not voting the motion  
25 failed to adopt.

1                   Following the amendment, the clerk will read  
2                   the amendment.

3                   Representative Alonzo.

4                   CLERK: Amendment by Alonzo.

5                   SPEAKER: The Chair recognizes  
6                   Representative Alonzo to explain his amendment.

7                   REPRESENTATIVE ALONZO: Yes, Mr. Speaker,  
8                   Members, this just clarifies or adds that an ID card  
9                   that's approved by the State may be used as an ID.  
10                  Right now we're identifying certain types of ID. If the  
11                  State feels that there's a certain ID that's approved  
12                  after, you know, we vote at the state level or different  
13                  ways, then that identification card be used.

14                  SPEAKER: Okay. The amendment is acceptable  
15                  to the author. Is there any objection? The Chair hears  
16                  none. It's adopted.

17                  Following the amendment, the clerk will read  
18                  the amendment.

19                  Mr. Veasey.

20                  CLERK: Amendment by Veasey.

21                  SPEAKER: The Chair recognizes Mr. Veasey to  
22                  explain his amendment.

23                  REPRESENTATIVE VEASEY: This amendment  
24                  actually in the spirit of bipartisanship was inspired by  
25                  Representative Taylor of Collin County. Representative

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1 Taylor was in an exchange -- was in an exchange, and I  
2 can't remember who was on the front mic but he said that  
3 you have to have a valid photo ID in order to fill out  
4 an I-9. And so, therefore, if you have to have a valid  
5 ID to fill out an I-9 --

6 REPRESENTATIVE MARTINEZ: Mr. Speaker?

7 SPEAKER: Representative Martinez, for what  
8 purpose?

9 REPRESENTATIVE MARTINEZ: The gentleman will  
10 yield for a question?

11 REPRESENTATIVE VEASEY: I yield.

12 SPEAKER: He yields.

13 REPRESENTATIVE MARTINEZ: So, then,  
14 Mr. Veasey, let me ask you, you have a valid ID and you  
15 fill out an I-9, then you get an employee's ID from your  
16 employer, then you should be able to use that to vote,  
17 am I correct?

18 REPRESENTATIVE VEASEY: Absolutely.

19 REPRESENTATIVE MARTINEZ: So, if you're  
20 talking to your employer and all of us -- me being an  
21 employer, we have our employees fill out an I-9,  
22 therefore, they should be valid because if they have a  
23 driver's license, which is required under that  
24 requirement for an I-9, or a Social Security number,  
25 then we, as an employer, can ask that employee to take a

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1 photo ID and then they can use that to vote, and that's  
2 all you're asking for; is that correct?

3 REPRESENTATIVE VEASEY: Absolutely, that the  
4 employers of Texas that help keep people employed and  
5 keep jobs and help keep food on our tables, if they  
6 provide an ID, obviously, they have verified that that  
7 identification is valid and they -- and that's the only  
8 way that some of these places, like Lockheed and  
9 Coca-Cola and other places will issue an ID, and so,  
10 that ID ought to count to vote.

11 And I think that this is a bipartisan  
12 amendment because Mr. Taylor had spoke about it earlier.  
13 So, I move passage.

14 SPEAKER: The Chair recognizes  
15 Representative Harless to speak against the amendment.

16 REPRESENTATIVE HARLESS: Members, this  
17 amendment is asking that you allow a valid employee  
18 identification card from somebody's work. It's not a  
19 government ID. It's not a state issued driver's  
20 license. It's a valid employee ID card. And I -- I  
21 wish --

22 SPEAKER: Mr. Phillips, for what purpose?

23 REPRESENTATIVE PHILLIPS: Yeah, just a quick  
24 question.

25 REPRESENTATIVE HARLESS: Yes.



1 SPEAKER: She yields.

2 REPRESENTATIVE PHILLIPS: There's no  
3 limitation at all on this at all?

4 REPRESENTATIVE HARLESS: None.

5 REPRESENTATIVE PHILLIPS: I mean, this  
6 doesn't set out standards or practice or anything?

7 REPRESENTATIVE HARLESS: None at all.

8 REPRESENTATIVE PHILLIPS: Thank you.

9 SPEAKER: Mr. Veasey, for what purpose?

10 REPRESENTATIVE VEASEY: Does the gentlelady  
11 yield?

12 REPRESENTATIVE HARLESS: Yes.

13 SPEAKER: She yields.

14 REPRESENTATIVE VEASEY: Your Republican  
15 colleague from Collin County stated earlier that in  
16 order for you to be able to work at any place that you  
17 have to have a valid photo ID in order to fill out that  
18 I-9 and that employer has to verify that identification.  
19 So, why would that identification not work at a polling  
20 place?

21 REPRESENTATIVE HARLESS: The purpose of the  
22 types of ID that were chosen, a driver's license, a  
23 Texas issued ID card, a Texas issued driver's license, a  
24 passport is because there's a standardization of forms,  
25 they're uniform, they're easier for people to recognize,

1 they're easier for the poll worker to recognize, they're  
2 easier for the voter to recognize.

3 This throws all those standards out. It  
4 allows any type of ID that could be duplicated and it  
5 takes away all the security provisions in the bill, and  
6 I can't support it.

7 REPRESENTATIVE VEASEY: One of our largest  
8 employers in the City of Fort Worth is Lockheed Martin  
9 and -- you know, and -- and we have other large  
10 employers as well, American Airlines. So, people are  
11 used to seeing those identifications that live in the  
12 metroplex. There's a good likelihood that the clerk,  
13 particularly if you live in Fort Worth, it would be a  
14 very good likelihood that the clerk would have a  
15 relative or someone that worked at one of these places.  
16 So, they would also be able to easily identify those  
17 forms of identification, and it's the same justification  
18 that you just laid out. So, why not accept this  
19 amendment?

20 REPRESENTATIVE HARLESS: Because it's not  
21 issued by the state -- the government agency, it's  
22 issued by an employer. There is no standardization of  
23 form, and it takes away all the protections that we've  
24 put in this bill for a person to have an ID that a poll  
25 worker -- it's easy for them to recognize and it's easy

1 for the voter to understand.

2 REPRESENTATIVE VEASEY: Are there  
3 different -- like you're an employer, you're in the car  
4 business, do you not -- do you not offer the same I-9 to  
5 your employees that every other employer offers to their  
6 employees?

7 REPRESENTATIVE HARLESS: I do, and all my  
8 employees fill out an I-9. Typically, they use their  
9 driver's license and Social Security card. I've had  
10 some use ID cards if they didn't have a driver's license  
11 but --

12 REPRESENTATIVE VEASEY: So, you're not using  
13 a separate form. That would be a standardization of  
14 forms. It's the same --

15 REPRESENTATIVE HARLESS: I think this  
16 whole -- I think this conversation, we're talking about  
17 the I-9. I understand Representative Taylor's ability  
18 to get up here and want to talk about that form. That  
19 has nothing to do with the bill. The bill is about  
20 showing a photo ID when you show up to vote that is  
21 issued by a government agency and is easy to recognize  
22 because it has the same standardization.

23 REPRESENTATIVE VEASEY: Okay. So, when he  
24 laid out -- when he laid out his justification that  
25 everybody has to fill out this standardized form, the

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1 I-9 in order to work and get an ID, so, you accepted it  
2 when he came to you. So, why don't you accept it  
3 when -- I'm bringing you the same thing that you  
4 accepted from him. The rationale you accepted from him  
5 is what I'm laying out to you right now. So, why won't  
6 you accept it from me?

7 REPRESENTATIVE HARLESS: I didn't accept any  
8 rationale from him. He got up to talk against an  
9 amendment that was offered. I didn't -- I didn't  
10 accept --

11 SPEAKER: Mr. Legler, for what purpose?

12 REPRESENTATIVE LEGLER: Will the gentlelady  
13 yield for a question?

14 SPEAKER: Do you yield for a question?

15 REPRESENTATIVE HARLESS: Yes.

16 SPEAKER: She yields.

17 REPRESENTATIVE LEGLER: I'm a little  
18 familiar with I-9s from having a company, and I know  
19 they can bring a driver's license, in fact, under -- you  
20 have lists B and C, and one of the them is a driver's  
21 license or ID card issued by a state in the United  
22 States. It doesn't say State of Texas. It just says by  
23 a state.

24 It also says a document issued by the  
25 Department of Homeland Security, which means you can

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1 have a visa to authorize working here and you can get  
2 a -- you can fill out an I-9 form and you can be  
3 authorized to work. That's how I see that.

4 What you're saying is that person may not be  
5 a citizen and a resident in the State of Texas but  
6 they're saying they can use that ID to government vote.  
7 I think you're right about -- on this amendment, it  
8 needs to be tabled.

9 REPRESENTATIVE HARLESS: Motion to table.

10 SPEAKER: Representative Veasey sends up an  
11 amendment. Representative Harless moves to table. The  
12 question is on the motion to table. All those in favor  
13 say aye, vote aye. Those opposed vote no. Clerk will  
14 ring the bell.

15 Ms. Harless voting aye. Mr. Veasey noting  
16 no. Representative Hunter voting aye.

17 Have all voted? By a vote of 101 ayes, 47  
18 nays, 2 present not voting, the motion to table  
19 prevails.

20 Following the amendment, the clerk will read  
21 the amendment.

22 Respective Gonzalez of El Paso.

23 CLERK: Amendment by Gonzalez of El Paso.

24 SPEAKER: The Chair recognizes  
25 Representative Gonzalez to explain her amendment.

1 REPRESENTATIVE GONZALEZ: Members --

2 Mr. Speaker, Members, this amendment would allow native  
3 Americans to use their tribal IDs as an acceptable form  
4 of identification upon voting.

5 The (Inaudible) Pueblo, for example, is a  
6 group of individuals that would benefit from this  
7 amendment. Currently the population of the tribal -- or  
8 the native nation is enrolled at 1687 members, with 1105  
9 of them residing in Texas. And of those 1687, 1044 of  
10 the native American population reside in El Paso, Texas  
11 alone.

12 Each member receives an enrollment card,  
13 also known as a picture ID, that is issued with an  
14 authorized signature of the tribal governor. To obtain  
15 this ID, the identification that is used is an original  
16 birth certificate, Social Security card and a state  
17 issued ID.

18 Let me repeat that because it does bear  
19 repeating. To get this tribal ID, you need an original  
20 birth certificate, Social Security card and a state  
21 issued ID.

22 Based on that, I believe that there's a  
23 significant layer and there are significant safeguards  
24 in place to ensure that a tribal ID should be sufficient  
25 when a tribal member goes to a polling place to vote.

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1 SPEAKER: Representative Marquez, for what  
2 purpose?

3 REPRESENTATIVE MARQUEZ: Mr. Chairman, will  
4 the lady yield?

5 SPEAKER: Do you yield?

6 REPRESENTATIVE GONZALEZ: I don't know.

7 REPRESENTATIVE MARQUEZ: Representative  
8 Gonzalez, I think everyone heard you in El Paso.

9 SPEAKER: She yields for a conversation  
10 about El Paso.

11 REPRESENTATIVE GONZALEZ: Yes.

12 REPRESENTATIVE MARQUEZ: So, essentially,  
13 what this amendment is going to do is it's just going to  
14 allow native American tribes to be recognized, right,  
15 their ID will be a valid form of identification at the  
16 polls?

17 REPRESENTATIVE GONZALEZ: That is correct.

18 REPRESENTATIVE MARQUEZ: Okay. And are the  
19 enhanced tribal identification cards that are currently  
20 being issued by the government a reliable form of IDs  
21 for events such as voting? You spoke specifically about  
22 the (Inaudible) Pueblo.

23 REPRESENTATIVE GONZALEZ: Yes, absolutely,  
24 because the United States government is planning to  
25 use -- start using an enhanced tribal identification

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1 card. This is going to recognize U.S. federally  
2 recognized tribes. In order to get this specific card,  
3 the tribe must meet the requirements set out by the  
4 federal government, and this itself shows that they are  
5 going to have to expose themselves to a background  
6 check.

7 So, these tribal cards are needed for the  
8 enhanced tribal identification cards. So, this would  
9 almost be equivalent to having to get a passport.

10 So, again, I think that these identification  
11 cards that are issued by the tribes are -- have  
12 significant barriers in place in order for them -- to  
13 qualify them for voter ID.

14 REPRESENTATIVE MARQUEZ: I think this  
15 amendment is extremely appropriate. Thank you,  
16 Representative Gonzales.

17 REPRESENTATIVE GONZALEZ: Thank you,  
18 Representative Marquez.

19 REPRESENTATIVE GUTIERREZ: Mr. Speaker, will  
20 the gentlelady yield?

21 SPEAKER: You yield?

22 REPRESENTATIVE GONZALEZ: Yes, sir.

23 SPEAKER: She yields.

24 REPRESENTATIVE GUTIERREZ: Representative  
25 Gonzalez, we heard earlier about the voter



1 identification requirements in the State of Georgia.

2 Were you here when we discussed that?

3 REPRESENTATIVE GONZALEZ: Yes, sir.

4 REPRESENTATIVE GUTIERREZ: Did you hear that  
5 in Georgia, you can use an expire driver's license? You  
6 heard that exchange between Dr. Allen and I?

7 REPRESENTATIVE GONZALEZ: I did hear that  
8 exchange, yes.

9 REPRESENTATIVE GUTIERREZ: Did you also know  
10 that in Georgia, they -- a valid tribal photo ID is  
11 allowed?

12 REPRESENTATIVE GONZALEZ: You know, I was  
13 not aware of that but I am not surprised by that.

14 REPRESENTATIVE GUTIERREZ: So, if it must be  
15 good for the people in Georgia, it must be okay for the  
16 people in Texas?

17 REPRESENTATIVE GONZALEZ: I would say so,  
18 yes.

19 REPRESENTATIVE GUTIERREZ: I think you have  
20 a good amendment.

21 Thank you, Mr. Speaker.

22 REPRESENTATIVE GONZALEZ: Thank you very  
23 much.

24 SPEAKER: Now Representative Harless will  
25 speak against the amendment.

1 REPRESENTATIVE HARLESS: Members, we had  
2 testimony of this both this session and last session.  
3 The reason we chose -- the reason the ID documents that  
4 were chose were the driver's license -- the Texas  
5 driver's license, the Texas ID card, voter's -- passport  
6 and all the different forms was that they were standard.  
7 It was easier for the poll workers to understand and  
8 read it and recognize it, and it was also easier for the  
9 voters to know what is expected.

10 With your tribal cards, you don't know for  
11 sure if they are official and if they have all the same  
12 security provisions that are issued by the State of  
13 Texas, and that was the purpose of that in our testimony  
14 on the committee.

15 SPEAKER: Representative Gonzalez, for what  
16 purpose?

17 REPRESENTATIVE GONZALEZ: Does the  
18 gentlelady yield?

19 SPEAKER: Do you yield?

20 REPRESENTATIVE HARLESS: Yes.

21 SPEAKER: She yields.

22 REPRESENTATIVE GONZALEZ: Thank you, ma'am.

23 Would you say that 100 -- rather, 1687  
24 members -- tribal members is a significant number in the  
25 State of Texas?

1 REPRESENTATIVE HARLESS: Could you say the  
2 number again?

3 REPRESENTATIVE GONZALEZ: 1687.

4 REPRESENTATIVE HARLESS: I think that's  
5 significant.

6 REPRESENTATIVE GONZALEZ: Now, being that  
7 1044 of those members live in El Paso County, that's the  
8 county that I represent, those are poll workers that El  
9 Paso County members are going to have to -- are going to  
10 have to deal with, would you not agree with that?

11 REPRESENTATIVE HARLESS: Say that one more  
12 time, please.

13 REPRESENTATIVE GONZALEZ: Yes, ma'am. Would  
14 you not agree -- and I gave you a statistic that 1044 of  
15 those 1687 members live in El Paso County, which is the  
16 district that I happen to represent, and so, it is going  
17 to be the El Paso County election people that are going  
18 to have to identify these cards. And so, would you not  
19 say that since the majority of the people that I've just  
20 cited to you live in El Paso County, that they have some  
21 familiarity with what a travel card looks like?

22 REPRESENTATIVE HARLESS: Now, how many of  
23 these people do not have a driver's license or -- a  
24 Texas driver's license, a Texas ID card? Do you have  
25 those statistics?

1 REPRESENTATIVE GONZALEZ: I do not.  
2 However, I want to cite to my statement again and say  
3 that in order to receive a tribal ID, you must show an  
4 original birth certificate, Social Security card and --  
5 not or -- and a state issued ID.

6 Now, we have sat here for the better half of  
7 this day and talked about how state issued IDs are  
8 acceptable forms of identification for voter ID  
9 purposes. So, would it not make sense then to have a  
10 tribal ID be an acceptable form of identification?

11 REPRESENTATIVE HARLESS: I understand when  
12 you say that the people that have these tribal cards,  
13 the majority of them live in El Paso but what happens if  
14 they move to Spring, Texas and register to vote and  
15 don't have an ID and they show up at the polls with a  
16 tribal card and the poll workers and election judges are  
17 not familiar? That was part of the reason why we wanted  
18 some standardization of forms.

19 REPRESENTATIVE GONZALEZ: And let's talk  
20 about that for a moment. Do we know how often tribal  
21 members migrate off of the counties that they live in?  
22 Because they do receive their federal benefits from the  
23 reservation in which they reside, do they not?

24 REPRESENTATIVE HARLESS: You would know a  
25 lot more about that than I do. You represent them, and

1     you're doing a great job.

2                 REPRESENTATIVE GONZALEZ: Thank you.

3                 I would say that the migratory habits, if  
4     you will, of people that are native Americans that are  
5     in the tribes -- the tribes that are in Texas don't  
6     migrate very often. So, even if they were to show this  
7     tribal ID, I think that a polling person would probably  
8     be able to call either the federal government or the  
9     actual travel council that issued the ID to verify who  
10    this person is. Would that not be a mechanism that  
11    could be used?

12                REPRESENTATIVE HARLESS: We just added  
13    another layer of requirements that someone has to do the  
14    day that -- a poll worker, election worker has to do  
15    when they show up -- someone shows up to vote, that  
16    we've just added another step that they're having to do,  
17    which could stop -- slow down voting.

18                REPRESENTATIVE GONZALEZ: Okay. But based  
19    on that question -- or based on that statement then, if  
20    a person doesn't look like who they look like on their  
21    vote photo ID, on their driver's license, for example,  
22    is the poll worker then going to ignore the person that  
23    that's presented the form of ID because they don't look  
24    like who they look like or are they going to do some  
25    sort of due diligence to find out is this person really

1 who they say they are?

2 REPRESENTATIVE HARLESS: Now we're talking  
3 about ID and not your amendment. Do we want to talk  
4 about your amendment?

5 REPRESENTATIVE GONZALEZ: Well, we are  
6 talking about the amendment. This is germane because we  
7 are talking about what is an acceptable form of ID.  
8 And, again, I think that we've listed several  
9 appropriate forms, and I think that a tribal form is  
10 definitely appropriate.

11 REPRESENTATIVE HARLESS: I --

12 SPEAKER: Representative Sheffield raised a  
13 point of order that the gentlelady's time is expired.  
14 The point is well taken. Sustained.

15 The Chair recognizes Representative Gonzalez  
16 to close.

17 Mr. Veasey, for what purpose?

18 REPRESENTATIVE VEASEY: With the -- I would  
19 like to move that we extend the gentlelady's time,  
20 please.

21 SPEAKER: Mr. Veasey moves that the  
22 gentlelady's time be extended. Is there any opposition?  
23 The Chair hears none. The Chair hears none. The time  
24 is extended.

25 REPRESENTATIVE VEASEY: Representative

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1 Harless, I just a few questions for you. Do you yield?

2 REPRESENTATIVE HARLESS: Yes.

3 REPRESENTATIVE VEASEY: (Inaudible)

4 screaming in my ear. I apologize for that.

5 Why don't you work with Representative --  
6 why don't you work with Representative Gonzalez to do a  
7 carve out for her particular county? Because,  
8 obviously, you're talking about -- there are thousands  
9 of people that would be affected. So, why not do a  
10 carve out for her?

11 REPRESENTATIVE HARLESS: I'm not interested  
12 in doing any carve outs in the bill but I am interested  
13 in listening to what she has to say.

14 REPRESENTATIVE VEASEY: I'm sorry, I'm  
15 not -- I couldn't quite hear you. People are talking.

16 REPRESENTATIVE HARLESS: I don't know -- I'm  
17 talking right here. No, I'm not interested in doing any  
18 carve outs but I am interested in what she has to say  
19 for one second.

20 REPRESENTATIVE VEASEY: Absolutely. I'll  
21 pause.

22 SPEAKER: Representative Gonzalez withdraws  
23 the amendment temporarily.

24 Following the amendment, the clerk will read  
25 the amendment.

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1 Mr. Dutton.

2 CLERK: Amendment by Dutton.

3 SPEAKER: The Chair recognizes Mr. Dutton to  
4 explain his amendment.

5 REPRESENTATIVE DUTTON: Mr. Speaker and  
6 Members, I know it's been a long day but this is a most  
7 important bill, and what this amendment does is simply  
8 adds a group of people who are most important to the  
9 election process, and what this amendment does is simply  
10 allows a student identification card that is issued by a  
11 public or private high school or institution of higher  
12 education that also contains the person's photograph to  
13 be able to use that as a basis for voting.

14 And I don't know whether that's acceptable  
15 or unacceptable but I think it's a good amendment and I  
16 hope you do, too, and I move passage of the amendment.

17 SPEAKER: Representative Harless?

18 The Chair recognizes Representative Phillips  
19 to speak against the amendment.

20 REPRESENTATIVE PHILLIPS: Yes, I would move  
21 to table Representative Dutton's amendment.

22 SPEAKER: Representative Dutton, do you want  
23 to close?

24 Representative Dutton to close.

25 REPRESENTATIVE DUTTON: Mr. Speaker and

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1 Members, I wish I knew why Mr. Phillips would move to  
2 table the amendment without explaining what his reasons  
3 were.

4 I realize that this amendment is probably  
5 like most of the other amendments where there has been  
6 an opportunity not for reason to prevail but simply the  
7 numbers to prevail, and I -- I just think the students  
8 ought to be recognized and certainly ought to have an  
9 opportunity to use their --

10 SPEAKER: Mr. Phillips, for what purpose?  
11 Mr. Dutton, do you yield?

12 REPRESENTATIVE DUTTON: As soon as I finish,  
13 Mr. Phillips. You had an opportunity up here. I'll  
14 give you that opportunity, though.

15 REPRESENTATIVE PHILLIPS: I didn't say you  
16 have to yield at this time.

17 REPRESENTATIVE DUTTON: We ought to  
18 recognize that students ought to have the opportunity to  
19 use their student identification cards that, again, are  
20 issued by state agencies. Essentially -- the  
21 institutions of higher education are essentially state  
22 agencies when I last checked.

23 And so, if we're going to allow state  
24 agencies to issue identification cards so that people  
25 can vote, what better way than to use a student ID that

1 also has the picture of the student on the ID so that it  
2 can be used.

3 And with that, Mr. Speaker, I will yield to  
4 Mr. Phillips.

5 SPEAKER: Mr. Phillips, he yields.

6 REPRESENTATIVE PHILLIPS: Thank you,  
7 Mr. Chairman.

8 I just want to -- you would agree with me  
9 that all the different institutions you're discussing do  
10 not have a standardized form that's easy for an election  
11 clerk or officer to recognize?

12 REPRESENTATIVE DUTTON: Depends on what you  
13 mean by standardized.

14 REPRESENTATIVE PHILLIPS: Standardized, that  
15 they're all the same, same shape, size, location of the  
16 picture, location of the information.

17 REPRESENTATIVE DUTTON: I have not seen them  
18 all but I would doubt that every one of them is exactly  
19 the same if that's what you mean.

20 REPRESENTATIVE PHILLIPS: And -- and  
21 they're -- also the people that issue those don't go  
22 through a certain training to ascertain -- to make sure  
23 that there's not fraud in trying to obtain those  
24 licenses?

25 REPRESENTATIVE DUTTON: I would beg to

1 differ with you. I would beg to differ with you, Mr. --  
2 I don't know of anybody in a college or university --  
3 maybe you do -- that is there and has a student ID  
4 that's not who they say they are.

5 REPRESENTATIVE PHILLIPS: And you -- there's  
6 no verification of citizenship on those as well; is that  
7 correct?

8 REPRESENTATIVE DUTTON: That -- that would  
9 be the case and that wouldn't -- that would be the case  
10 also with a driver's licence.

11 REPRESENTATIVE PHILLIPS: And -- and you  
12 would -- anyway, those are questions that I have. Thank  
13 you.

14 REPRESENTATIVE DUTTON: All right. Thank  
15 you.

16 Mr. Speaker, Members, this is a vote for  
17 students. And I'm here to tell you that either today  
18 you can show up for students or on election day, they'll  
19 show up for you. And I would ask you to vote no on the  
20 motion to table.

21 SPEAKER: Mr. Dutton sends up an amendment.  
22 Mr. Phillips moves to table. The vote is on the motion  
23 to table. The clerk will ring the bell. Mr. Phillips  
24 is voting no. Mr. Dutton is voting aye. I'm sorry.  
25 Mr. Phillips is voting aye. Mr. Dutton is voting no.

1 Show Ms. Kolkhorst voting aye. Mr. Martinez Fischer  
2 voting no. Mr. Gutierrez voting no.

3 Have all members voted? By a vote of 99  
4 ayes, 49 nays, 2 present not voting, the amendment --  
5 the motion to table prevails.

6 Following the amendment, the clerk will read  
7 the amendment.

8 CLERK: Amendment by Martinez Fischer.

9 SPEAKER: The Chair recognizes  
10 Representative Martinez -- Fisher to explain his  
11 amendment.

12 REPRESENTATIVE MARTINEZ FISCHER: Thank you,  
13 Mr. Speaker and Members. This is a real simple  
14 amendment. It just says that we mean what we say, and  
15 if we have respect for the integrity for state issued  
16 IDs by DPS, then we ought to have the same level of  
17 integrity for the IDs that are issued by any state  
18 agency.

19 So, this amendment says if any state  
20 employee or anybody that has a state issued ID with  
21 their photograph on it should be allowed to vote with  
22 that and it should be added to the list of approved  
23 documents, and so, with that, I move adoption.

24 SPEAKER: The Chair recognizes Mr. Phillips  
25 to speak against the amendment.

1 REPRESENTATIVE PHILLIPS: Thank you,  
2 Mr. Speaker, Members. I would ask that -- I  
3 respectfully oppose this amendment. As you know, one of  
4 those ones he's showing up apparently is expired. And  
5 so, that wouldn't be effective. They're not going to  
6 issue those any more.

7 And it gets back to uniformity. We don't  
8 have uniformity across all state agencies. They all  
9 look different. We're trying to have uniformity.

10 (Inaudible).

11 SPEAKER: For what purpose?

12 REPRESENTATIVE DUKES: Would the gentleman  
13 yield?

14 REPRESENTATIVE PHILLIPS: I certainly would.

15 SPEAKER: He yields.

16 REPRESENTATIVE DUKES: Thank you. Thank  
17 you.

18 Representative Phillips, what's wrong with  
19 this idea? I'm able to get in the capital with it.

20 REPRESENTATIVE PHILLIPS: Yes, but a voting  
21 clerk may not know what that is or may not even be  
22 familiar with the capitol. We're talking about --

23 REPRESENTATIVE DUKES: May not be familiar  
24 with capitol? And people are voting for people to be in  
25 the capitol? Why are they over there helping people

1 vote if they don't know what the capitol is?

2 REPRESENTATIVE PHILLIPS: I think you know  
3 what I'm saying. I think that's not being fair.

4 REPRESENTATIVE DUKES: It is fair. If you  
5 don't know what the capitol is, you don't need to be  
6 helping anybody vote.

7 REPRESENTATIVE PHILLIPS: They may not know  
8 you. They may not know what kind of form of ID you use.  
9 We're trying to perform uniformity across the state.

10 REPRESENTATIVE DUKES: Did you know that I  
11 can get on an airplane with this? I have used it to go  
12 through TSA. I didn't get (Inaudible) off but I was  
13 able to go through TSA with this. So, why can't we use  
14 it to vote?

15 REPRESENTATIVE PHILLIPS: Because there's  
16 not uniformity across all state agencies.

17 REPRESENTATIVE DUKES: Is the State of Texas  
18 uniform?

19 REPRESENTATIVE PHILLIPS: What are you --  
20 the election laws are all uniform. They should be  
21 applied uniformly.

22 REPRESENTATIVE DUKES: Well, it sounds like  
23 you're just opposed to any form of ID. Now, you would  
24 think if we're the State of Texas and it -- the State of  
25 Texas has the different jobs. Everybody has to have a

1 badge with their picture on it, then it has been vetted  
2 in some form or fashion but you're still saying that's  
3 not valid.

4 So, then why should they be allowed to  
5 come -- we be allowed to come into the capitol building  
6 if this is no good?

7 REPRESENTATIVE PHILLIPS: Ms. Dukes, we're  
8 asking for uniformity so our election clerks will be  
9 able to know exactly what to count on and that we  
10 know --

11 REPRESENTATIVE DUKES: Come on.

12 REPRESENTATIVE PHILLIPS: -- the  
13 verification procedures.

14 REPRESENTATIVE DUKES: If it's a state  
15 issued ID, that's uniform. It's the same state. We're  
16 not talking about using Mississippi's ID or using  
17 Delaware's ID. We're talking about using Texas business  
18 IDs.

19 REPRESENTATIVE PHILLIPS: I -- I think that  
20 point has been made, and it's not uniform across the  
21 state.

22 REPRESENTATIVE DUKES: But the point has not  
23 been made. You're not being uniform because every  
24 single one of the agencies, whether it's the state  
25 government or federal government, require that you have

1 a background check in order to get these badges. So,  
2 what's the problem?

3 REPRESENTATIVE PHILLIPS: Ms. Dukes, we're  
4 asking for --

5 REPRESENTATIVE DUKES: I mean, there are  
6 going to be bills that come up.

7 REPRESENTATIVE PHILLIPS: We're asking for  
8 uniformity to help election clerks so we can have  
9 confidence in our elections. I would move to table.

10 SPEAKER: The Chair recognizes  
11 Representative Martinez Fischer to close.

12 REPRESENTATIVE MARTINEZ FISCHER: Thank you,  
13 Mr. Speaker and Members. I think it just underscores  
14 what we're really trying to do here. I can't understand  
15 the distinction between one state agency and another,  
16 and I certainly don't think that Larry is trying to  
17 suggest that our state agencies are capable of producing  
18 fraudulent ID cards or inaccurate ID cards, and there's  
19 no requirement that they ever be uniform but all we need  
20 and all this debate has been about is having an ID with  
21 your photo on it that's trusted, and if we cannot trust  
22 an ID issued by the state, then I have concerns about  
23 trusting IDs issued by the Department of Public Safety.  
24 They, too -- they're no different of a state agency than  
25 the Health and Human Services Commission or the Texas



1 House of Representatives.

2 These cards are signed by the legislative  
3 liaison for the Texas Department of Public Safety. They  
4 signed in the front by the director of the Texas  
5 Department of Public Safety. It's a serious felony to  
6 not have this.

7 Larry says it's expired but that's my  
8 picture. That's my driver's license number. That's my  
9 district on this card. The employee ID that I have,  
10 well, she's still here, she still works for this body,  
11 and so, I don't see what he's talking about when he says  
12 that it's expired.

13 SPEAKER: Representative Truitt, for what  
14 purpose?

15 REPRESENTATIVE TRUITT: Will the gentleman  
16 yield, please?

17 SPEAKER: Mr. Martinez Fischer, do you yield  
18 do you yield?

19 REPRESENTATIVE MARTINEZ-FISCHER: Yes, I do  
20 yield.

21 REPRESENTATIVE TRUITT: Mr. Martinez  
22 Fischer, there's been some discussion about using some  
23 of the forms of ID that we're provided as House members.  
24 And are you aware that -- I have attempted on a couple  
25 of occasions when I misplaced my driver's license to use

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1 a -- our -- one of the ID cards that's issued by the  
2 State to us showing that I'm a member of the 82nd -- I  
3 think at the time it was the 81st first legislature and  
4 an official -- and I was not allowed to use that to  
5 board a plane.

6 REPRESENTATIVE MARTINEZ-FISCHER: And that's  
7 why I'm trying to help you because we put this in the  
8 law, this -- Members, this is the Martinez Truitt  
9 amendment. It's a bipartisan amendment. If you want  
10 Vicki Truitt to be able to vote, then you've got to vote  
11 no on the motion because -- Members, let's do this for  
12 Vicki, Vicki Truitt. Number two on the motion to table,  
13 go red with me, I move we vote no on the motion to  
14 table. Vicki would want you to join us.

15 SPEAKER: Mr. Martinez Fischer sends up an  
16 amendment. Mr. Phillips move to table. The vote is on  
17 the motion to table. Those voting aye vote aye. Those  
18 voting no vote no.

19 Mr. Phillips is voting aye. Mr. Martinez  
20 Fischer is voting no. Show Ms. Truitt voting aye.

21 Have all members voted? By a vote of 97  
22 ayes, 50 nays, 2 present not voting, the motion to table  
23 prevails.

24 Following the amendment, the clerk will read  
25 the amendment.

JA\_002423

TX\_00212931

USA\_00017305

1 CLERK: Amendment by Hernandez Luna.

2 SPEAKER: The Chair recognizes  
3 Representative Hernandez Luna to explain her amendment.

4 REPRESENTATIVE HERNANDEZ LUNA: Thank you,  
5 Mr. Speaker, Members. This is a similar amendment but  
6 also includes the federal agencies. These are  
7 congressmen, Department of Navy, Department of Military,  
8 allowing them to show their IDs as well. These are  
9 people that we rely on for the security of our country  
10 to advise our president, the cabinet on the security of  
11 our country, whether we can go to war. I think that  
12 that ID should be valid for them to vote as well.

13 SPEAKER: The Chair recognizes Mr. Phillips  
14 to speak against the amendment.

15 REPRESENTATIVE PHILLIPS: Thank you,  
16 Mr. Speaker and Members. I would -- again, this has  
17 gone through the committee process, and we're talking  
18 about uniformity so that those election workers, those  
19 polling workers at their local place will have some  
20 consistency and know what we require them to do.

21 And so, I would urge against -- this is  
22 quite a broad thing, an agency or institution of the  
23 federal government or agencies or institution or  
24 political subdivision of the state. So, if a city has a  
25 little ID card or -- or a water district has an ID card,

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1 so, it's quite broad what this could cover. It's not  
2 just about the military. It's quite broad. And I would  
3 certainly move to table.

4 SPEAKER: Representative Castro, for what  
5 purpose?

6 REPRESENTATIVE CASTRO: Will the gentleman  
7 yield for questions?

8 SPEAKER: Mr. Phillips, do you yield?

9 REPRESENTATIVE PHILLIPS: Yes, sir.

10 SPEAKER: He yields.

11 REPRESENTATIVE CASTRO: Representative  
12 Phillips, you've said that the reason that you want to  
13 stick to just a few IDs is because there's uniformity  
14 among these IDs that are being issued; is that correct?

15 REPRESENTATIVE PHILLIPS: Yes. That is one  
16 of the many reasons why the committee has worked towards  
17 passing this legislation and it's been successful  
18 elsewhere.

19 REPRESENTATIVE CASTRO: And I would imagine  
20 as a corollary point of yours would be that there are  
21 different kinds of state IDs that are issued; is that  
22 right? In other words, the Department of Public Safety  
23 versus the --

24 REPRESENTATIVE PHILLIPS: I'm not sure what  
25 you mean by IDs because -- I don't know if you're

JA\_002425

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USA\_00017307

1 talking about employee IDs or --

2 REPRESENTATIVE CASTRO: Right.

3 REPRESENTATIVE PHILLIPS: Okay. This  
4 isn't -- this could have covered employee IDs, probably  
5 written that broadly but I don't think that's what this  
6 amendment was for but --

7 REPRESENTATIVE CASTRO: What's your  
8 understanding of what the amendment does? Which IDs  
9 would it allow?

10 REPRESENTATIVE PHILLIPS: This is federal or  
11 local government, not state IDs.

12 REPRESENTATIVE CASTRO: Okay. Well -- so,  
13 the federal and local governments issue different -- IDs  
14 that look differently; is that right?

15 REPRESENTATIVE PHILLIPS: Yes.

16 REPRESENTATIVE CASTRO: In other words, San  
17 Antonio may issue one that looks different from Dallas?

18 REPRESENTATIVE PHILLIPS: They might have an  
19 ID -- we don't know if they even do.

20 REPRESENTATIVE CASTRO: But are you aware  
21 that the Department of Public Safety issues licenses  
22 that look different?

23 REPRESENTATIVE PHILLIPS: They have  
24 different ones but they're -- yes.

25 REPRESENTATIVE CASTRO: So, how is that

1 uniform then?

2 REPRESENTATIVE PHILLIPS: Because they're --  
3 there are very limited ones that they -- that they  
4 produce.

5 REPRESENTATIVE CASTRO: But that's -- but  
6 your argument --

7 REPRESENTATIVE PHILLIPS: No. No. No.

8 REPRESENTATIVE CASTRO: Your argument has  
9 been uniformity. How is it that uniform?

10 REPRESENTATIVE PHILLIPS: They are uniform.  
11 They're uniform in how they look. They maybe have --  
12 one may be going horizontal. One may be going vertical.  
13 So, we're not talking about 50 or however many -- 254  
14 counties if they did them, plus all the cities, that  
15 they would have to somehow figure if that's something  
16 that's acceptable or not.

17 REPRESENTATIVE CASTRO: But you're  
18 conceding --

19 REPRESENTATIVE PHILLIPS: Uniformity -- no.

20 REPRESENTATIVE CASTRO: You're conceding now  
21 that there's no uniformity, which is an argument that  
22 you made.

23 REPRESENTATIVE PHILLIPS: No, I'm not  
24 conceding that. And also, get back to we know DPS has a  
25 process and a standard for training and determining

1 validity of those presenting themselves for an ID. We  
2 don't know that about all of those that are stated here.

3 REPRESENTATIVE CASTRO: You also made the  
4 point, is it right -- is it correct you made the point  
5 that poll workers wouldn't necessarily know how to  
6 identify some of these IDs?

7 REPRESENTATIVE PHILLIPS: We're talking  
8 about -- again, we're talking about to make sure that  
9 they are valid and that they understand what's  
10 acceptable, and what you're trying to do is interject  
11 confusion to the local poll workers --

12 REPRESENTATIVE CASTRO: No, not at all.

13 REPRESENTATIVE PHILLIPS: -- when you have  
14 so many different IDs. So --

15 REPRESENTATIVE CASTRO: I guess my question  
16 is --

17 REPRESENTATIVE PHILLIPS: I think I'm being  
18 consistent. I think I'm being consistent and we're  
19 being consistent throughout this legislation process.

20 REPRESENTATIVE CASTRO: Well, I disagree but  
21 my question is -- my question is isn't there a training  
22 session for these folks who work -- who do the poll  
23 working?

24 REPRESENTATIVE PHILLIPS: There are training  
25 sessions. And how much time do you want them to have to

1 figure out what is a valid ID and which is acceptable?  
2 Because we're talking about very limited opportunity for  
3 them to have training.

4 REPRESENTATIVE CASTRO: Representative, can  
5 I ask you have you ever been to a polling site -- you've  
6 visited many polling sites in your political career; is  
7 that right?

8 REPRESENTATIVE PHILLIPS: I have been to  
9 polling sites.

10 REPRESENTATIVE CASTRO: Okay. Have you ever  
11 been to a polling site where the poll workers, the  
12 election judge posts the no -- the no -- basically the  
13 no man's land, the no crossing zone either further or  
14 closer than it should be?

15 REPRESENTATIVE PHILLIPS: I don't know. I'd  
16 have to go back and measure. I don't know that --

17 REPRESENTATIVE CASTRO: You've never come  
18 across that in all of the polling sites you've come  
19 across?

20 REPRESENTATIVE PHILLIPS: I don't think  
21 that's been an issue, no.

22 REPRESENTATIVE CASTRO: Well, I think you  
23 would be surprised, at least in San Antonio and other  
24 places I've been, poll workers mess that up all the  
25 time. So, what makes you think that -- if you're



1 worried about them not being able to tell local or  
2 federal IDs apart, that they're going to be perfect on  
3 doing any of what you guys are passing right now?

4 REPRESENTATIVE PHILLIPS: Well --

5 REPRESENTATIVE CASTRO: I mean, a lot of  
6 them don't even put the markers at the correct place.

7 REPRESENTATIVE PHILLIPS: Well, I haven't  
8 seen that to be an issue, so --

9 REPRESENTATIVE CASTRO: Thank you.

10 SPEAKER: Ms. Hernandez Luna sends up an  
11 amendment. Mr. Phillips moves to table. The vote is on  
12 the motion to table. Members vote ayes, members vote  
13 no. Clerk will ring the bell.

14 Mr. Phillips is voting aye. Representative  
15 Hernandez Luna voting nay. Representative Marquez  
16 voting -- Marquez voting nay.

17 Have all voted? A vote of 99 ayes, 49 nays,  
18 2 present not voting, the motion to table prevails.

19 Following the amendment, the clerk will read  
20 the amendment.

21 CLERK: Amendment by Gonzales of Hidalgo.

22 SPEAKER: The Chair recognizes  
23 Representative Gonzales.

24 REPRESENTATIVE GONZALES: Thank you,  
25 Mr. Speaker, Members. Throughout the day, we've been

1 talking about these provisional ballots that are to be  
2 voted and the affidavits that have to be signed. All  
3 this -- all this amendment does is it requires that the  
4 affidavits be available at every polling place.

5 If we want to ensure that every person  
6 that's eligible to vote is given an opportunity to vote,  
7 we need to have the tools made available to them,  
8 including these affidavits that they can sign if they  
9 don't have their ID at the time and need to vote a  
10 provisional ballot. I hope it will be acceptable to the  
11 author.

12 SPEAKER: Ms. Harless, for what purpose?

13 REPRESENTATIVE HARLESS: Will the -- will  
14 the member yield?

15 SPEAKER: Do you yield?

16 REPRESENTATIVE GONZALES: Yes, I will.

17 SPEAKER: She yields.

18 REPRESENTATIVE HARLESS: I wanted to clarify  
19 what our conversation was. You talked about having  
20 these affidavits at the polling place that they have to  
21 sign if they're casting a provisional ballot. You're  
22 not in any way trying to cut out the photo ID  
23 requirements, are you?

24 REPRESENTATIVE GONZALES: Not with this  
25 particular amendment. This amendment would simply say

1 your bill already includes the requirement that the  
2 affidavit be signed if they have to sign a -- or fill  
3 out a provisional ballot.

4 All this would say is let's make it  
5 available to them at the polling places so that they  
6 don't have to be traveling to another location to fill  
7 out an affidavit.

8 REPRESENTATIVE HARLESS: Right. So, they  
9 show up at a polling place and they don't have one of  
10 the subscribed forms of identification?

11 REPRESENTATIVE GONZALES: Correct.

12 REPRESENTATIVE HARLESS: And they fill out a  
13 provisional ballot and have to sign an affidavit?

14 REPRESENTATIVE GONZALES: Correct.

15 REPRESENTATIVE HARLESS: And you're saying  
16 when they're at that polling place, if they want to cast  
17 the provisional ballot that requires the affidavit  
18 signed, that that polling place should have that --  
19 those -- those affidavits there on location site?

20 REPRESENTATIVE GONZALES: That's correct.  
21 That's correct.

22 REPRESENTATIVE HARLESS: Could we -- could I  
23 ask that the -- our comments be recorded?

24 SPEAKER: Members, you've heard the motion.  
25 Is there any objection? So ordered -- the Chair has

1 done. So ordered.

2 Ms. Gonzalez sends up the amendment. The  
3 amendment is acceptable. Is there any objection?

4 The Chair hears none. The amendment is  
5 adopted.

6 Following the amendment, the clerk will read  
7 the amendment.

8 CLERK: Amendment by Miles.

9 SPEAKER: The Chair recognizes Mr. Miles to  
10 explain his amendment.

11 REPRESENTATIVE MILES: Thank you, Mr.  
12 Speaker, Members. The statistics are showing that  
13 minorities and low income individuals are the most  
14 unrepresented groups in the electoral process. And in  
15 Texas, we rank dead last in voter turnout.

16 Members, under the current bill, the  
17 Secretary of State is requiring us to conduct a  
18 statewide (Inaudible) education and voter regarding ID  
19 requirements to the tune of \$2.4 million.

20 Members, my amendment simply states the  
21 purpose is for the Secretary of State to ensure voter  
22 registration includes initiatives given towards  
23 minorities and low income residents.

24 Members, we have an electoral crisis on our  
25 hands, and no matter if we're Republican or Democrat, we

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1     owe it to our constituents, especially those that are  
2     most under represented, to provide them with all the  
3     necessary tools to become educated in the electoral  
4     practice.

5                     SPEAKER: Representative Harless, for what  
6     purpose?

7                     REPRESENTATIVE HARLESS: Will the member  
8     yield?

9                     REPRESENTATIVE MILES: Yes, I will.

10                    SPEAKER: He yields.

11                    REPRESENTATIVE HARLESS: I agree with your  
12     amendment. I just want to make sure we're not  
13     specifically talking about a dollar amount?

14                    SPEAKER: Members, could we have order,  
15     please, on the floor? Take your conversations outside  
16     the rail.

17                    REPRESENTATIVE HARLESS: We're not  
18     specifically talking about a dollar amount, we just want  
19     the statewide effort to include education training?

20                    REPRESENTATIVE MILES: That is correct.  
21     That's correct, ma'am.

22                    REPRESENTATIVE HARLESS: Thank you.

23                    REPRESENTATIVE MILES: My amendment is  
24     acceptable by the -- by the author, and I move  
25     acceptance.

JA\_002434

TX\_00212942

USA\_00017316

1 SPEAKER: Representative Miles sends up the  
2 amendment. It's acceptable to the author. Is there any  
3 objection?

4 The Chair hears none. The amendment is  
5 adopted.

6 Following the amendment, the clerk will read  
7 the amendment.

8 Ms. Harper-Brown.

9 CLERK: Amendment by Harper-Brown.

10 SPEAKER: The Chair recognizes  
11 Representative Harper-Brown to explain her amendment.

12 REPRESENTATIVE HARPER-BROWN: Thank you,  
13 Mr. Speaker, Members.

14 Members, this amendment solves the problem  
15 that Representative Anchia brought up earlier where  
16 there was actually an out in the bill that would allow a  
17 person to go in and vote and never show a photo ID.

18 It actually eliminates those provisions  
19 where the affidavit is needed for indigent or religious  
20 purposes. And I move passage.

21 SPEAKER: Representative Harper-Brown sends  
22 up an amendment. Is it acceptable to the author?

23 The amendment is acceptable to the author.  
24 Is there any objection?

25 Mr. Anchia, for what purpose?

1 REPRESENTATIVE ANCHIA: I'd like to ask the  
2 lady some questions, please.

3 SPEAKER: The lady has yielded the floor.

4 REPRESENTATIVE ANCHIA: Should the author of  
5 the amendment -- may I ask the author of the amendment  
6 some questions?

7 SPEAKER: The lady yields for one question.

8 REPRESENTATIVE HARPER-BROWN: Thank you,  
9 Mr. Speaker.

10 I yield for a question.

11 REPRESENTATIVE ANCHIA: Okay. What is  
12 the -- can you -- I couldn't hear what was going on at  
13 the front mic, so, could you discuss what your amendment  
14 does?

15 REPRESENTATIVE HARPER-BROWN: Yes.  
16 Representative Anchia, this is the section of the Code  
17 or the section of the bill that you discussed earlier  
18 that talks about how someone could actually go in and  
19 vote without showing an ID at all if they sign an  
20 affidavit saying that they have a problem due to the  
21 religious objection or the indigence.

22 And so, it takes those two provisions out  
23 and just says you can vote provisionally and then you  
24 have the six days to bring the photo ID in to prove that  
25 you -- that you have -- that you can vote.

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1 REPRESENTATIVE ANCHIA: Okay. So, it just  
2 removes indigence exception and religious objection?

3 REPRESENTATIVE HARPER-BROWN: That's it.

4 REPRESENTATIVE ANCHIA: Those are the  
5 exceptions right now. And what you have to do after six  
6 days is come in and cure only with a photo ID?

7 REPRESENTATIVE HARPER-BROWN: Within the six  
8 days.

9 REPRESENTATIVE ANCHIA: Within the six day  
10 cure period?

11 REPRESENTATIVE HARPER-BROWN: Right. Right.  
12 Thank you.

13 SPEAKER: Representative Harper-Brown sends  
14 up an amendment. It is acceptable to the author. Is  
15 there any objection?

16 The Chair hears none. The amendment --

17 There is an objection. Members --

18 Ms. Harper-Brown sends up an amendment.

19 There is an objection. The question is on the -- on the  
20 amendment itself. Members vote aye, members vote no.

21 Ms. Harper-Brown is voting aye. Clerk will ring the  
22 bell. Mr. Villarreal is voting no.

23 Have all members voted? Show Representative  
24 Rodriguez voting no -- aye -- voting aye. Have all  
25 members voted? By vote of 107 ayes, 40 nays, 2 present

JA\_002437

TX\_00212945

USA\_00017319



1 not voting, the amendment is passed.

2 Following the amendment, the clerk will read  
3 the amendment.

4 Mr. Dutton.

5 CLERK: Amendment by Dutton.

6 SPEAKER: Mr. Dutton?

7 Following the amendment, the clerk will read  
8 the amendment.

9 CLERK: Amendment by Gonzalez of El Paso.

10 SPEAKER: The Chair recognizes  
11 Representative Gonzalez to explain her amendment.

12 REPRESENTATIVE GONZALEZ: Members, this is  
13 the amendment that we heard earlier and no news --  
14 nothing further to report on that. So, I move passage  
15 of this amendment, and I believe it's acceptable to  
16 the -- to the author.

17 SPEAKER: Representative Gonzalez sends up  
18 an amendment. It's acceptable to the author. It is  
19 acceptable to the author? Is there any objection?

20 The Chair hears none. The amendment is  
21 adopted.

22 Following the amendment, the clerk will read  
23 the amendment.

24 CLERK: Amendment by Dutton.

25 SPEAKER: The Chair recognizes Mr. Dutton to

1 explain his amendment.

2 REPRESENTATIVE DUTTON: In keeping with  
3 their motion to table, I move passage.

4 Mr. Speaker, Members, this amendment  
5 simply -- in the bill, it says for 60 and under, this  
6 card is going to cost you \$15. This just changes it to  
7 10 in light of our budget situation and everybody else's  
8 budget situation.

9 SPEAKER: The Chair recognizes  
10 Representative Harless to speak against the amendment.

11 REPRESENTATIVE HARLESS: Thank you,  
12 Mr. Speaker, Members. This is not the proper venue for  
13 this debate on this issue. This should be debated in a  
14 transportation related bill.

15 This cost is not related to the free ID for  
16 voting purposes, and I ask that you table the amendment.

17 SPEAKER: Representative Dutton sends up an  
18 amendment.

19 The Chair recognizes Representative Dutton  
20 to close.

21 REPRESENTATIVE DUTTON: Mr. Speaker,  
22 Members, in light of the fact that the -- these are  
23 financially difficult times, I thought it ought to be  
24 also reflected in a cost of obtaining this card that  
25 it's not \$15. All this does is changes it to \$10. I

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1 don't think that's too much to ask. And so, in light of  
2 all of the budget considerations that we in this House  
3 have had to make and that people back home are having to  
4 make, I thought it was just appropriate to change this  
5 to \$10 rather than 15.

6 And so, with that, I would ask you to  
7 move -- vote no on the motion to table.

8 SPEAKER: Mr. Dutton sends up an amendment.  
9 Representative Harless moves to table. The question is  
10 on the motion to table. Members vote aye, members vote  
11 no.

12 Show Representative Harless voting aye.  
13 Mr. Dutton voting no. Clerk will ring the bell.

14 Have all members voted? By a vote of 99  
15 ayes, 47 nays, 2 present not voting, the motion to table  
16 prevails.

17 Following the amendment, the clerk will read  
18 the amendment.

19 CLERK: Amendment by Dukes.

20 SPEAKER: The Chair recognizes  
21 Representative Dukes to explain her amendment.

22 Representative Dukes?

23 Following the amendment, the clerk will read  
24 the amendment.

25 Hold on.

JA\_002440

TX\_00212948

USA\_00017322

1           The Chair recognizes Representative Dukes to  
2       explain her amendment.

3           REPRESENTATIVE DUKES: Mr. Speaker, Members,  
4       this -- the author of this bill has repeatedly stated  
5       that the purpose is not to require anyone to have to go  
6       and buy a new ID. The DPS will issue an ID if you go in  
7       and request it for the purposes of voting.

8           So, what this amendment does is it ensures  
9       that DPS would not be able to charge for the ID by  
10      changing the permissive language of may not to shall not  
11      charge for the ID.

12          Repeatedly, the author has stated that this  
13      bill was not about requiring the purchase of a new ID,  
14      and language in the bill has stated that one would not  
15      be charged for an ID if they went in and stated it for  
16      these purposes.

17          Therefore, if permissive language is in the  
18      law, a year from now, some months from now, DPS can  
19      decide, well, it doesn't completely preclude us from  
20      charging, so, we can, therefore, start to charge.

21          SPEAKER: Ms. Truitt, for what purpose?

22          REPRESENTATIVE TRUITT: Does the gentlelady  
23      yield?

24          SPEAKER: Ms. Dukes, do you yield?

25          REPRESENTATIVE DUKES: Yes, I will.

1 SPEAKER: She yields.

2 REPRESENTATIVE TRUITT: Ms. Dukes, what if  
3 they weren't going to use it for voting? How would --  
4 what if they weren't going to use it for voting  
5 purposes?

6 REPRESENTATIVE DUKES: What if they only  
7 want to use it for voting purposes?

8 REPRESENTATIVE TRUITT: No. If they -- if  
9 they are not going to use it for voting purposes, they  
10 just -- it's just an ID but they may not be using it for  
11 voting purposes, how would --

12 REPRESENTATIVE DUKES: That's a different  
13 subject. The bill already has language in it that the  
14 agency cannot charge them if they state it is for the  
15 purpose -- so, the area in the bill that I'm changing is  
16 specific to the ID to be used for voting, that they  
17 shall not be able to charge for that.

18 REPRESENTATIVE TRUITT: Oh, okay. You're  
19 converting a may to a shall?

20 REPRESENTATIVE DUKES: Correct. It's a  
21 wonderful amendment and it's acceptable to the author.  
22 Thank you.

23 SPEAKER: Representative Dukes sends up an  
24 amendment that is acceptable to the author. Is there  
25 any objection?

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1                   The Chair hears none. The amendment is  
2                   adopted.

3                   Following the amendment, the clerk will read  
4                   the amendment.

5                   CLERK: Amendment by Representative Dutton.

6                   SPEAKER: The Chair recognizes  
7                   Representative Dutton to explain his amendment.

8                   REPRESENTATIVE DUTTON: Mr. Speaker,  
9                   Members, there's, at least in my mind, some confusion  
10                  about the previous amendment. I think what it does,  
11                  though, it prohibits them from charging a fee for a  
12                  personal identification certificate for a person who  
13                  says they want to use that to vote; is that right? Is  
14                  that right?

15                  It's my understanding that that's already in  
16                  the bill, so, I'm going to withdraw my amendment.

17                  SPEAKER: Amendment withdrawn.

18                  Following the amendment, the clerk will read  
19                  the amendment.

20                  Mr. Raymond.

21                  CLERK: Amendment by Raymond.

22                  SPEAKER: The Chair recognizes  
23                  Representative Raymond to explain his amendment.

24                  REPRESENTATIVE RAYMOND: Thank you,  
25                  Mr. Speaker, Members.

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1                   Members, this amendment simply states that  
2                   the Section 31.012, the voter identification education  
3                   portion of the bill, which is on Page 3, would let  
4                   the -- Section 203 and 14F4 of the Voting Rights Act  
5                   would apply to this section. Move adoption.

6                   SPEAKER: The Chair recognizes  
7                   Representative Harless to speak against the amendment.

8                   REPRESENTATIVE HARLESS: Mr. Speaker,  
9                   Members, Voting Rights Act either does or does not apply  
10                  to various sections of this bill. This is for the  
11                  Supreme Court to determine and not the Texas  
12                  legislature.

13                  I move to table.

14                  SPEAKER: For what purpose?

15                  REPRESENTATIVE RAYMOND: Does the gentlelady  
16                  yield?

17                  SPEAKER: Do you yield?

18                  REPRESENTATIVE HARLESS: Yes.

19                  SPEAKER: She yields.

20                  REPRESENTATIVE RAYMOND: Ms. Harless, do you  
21                  believe the Voting Rights Act?

22                  REPRESENTATIVE HARLESS: I'm sorry?

23                  REPRESENTATIVE RAYMOND: Do you believe the  
24                  Voting Rights Act? Do you believe the Voting Rights Act  
25                  is a good law?

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1 REPRESENTATIVE HARLESS: I do.

2 REPRESENTATIVE RAYMOND: So, you believe  
3 there's still discrimination in the voting place?

4 REPRESENTATIVE HARLESS: I'm sorry.

5 REPRESENTATIVE RAYMOND: So, you believe  
6 there is still discrimination in the voting place?

7 REPRESENTATIVE HARLESS: No, I do not think  
8 there is.

9 REPRESENTATIVE RAYMOND: Then why do you  
10 think that we -- that the Voting Rights Act is a good  
11 law?

12 REPRESENTATIVE HARLESS: I think at the time  
13 when it was passed, it was very effective. Texas is a  
14 Section 5 state. It's going to have to go for  
15 preclearance before the Department of Justice or the  
16 three federal judges in the District of Columbia. They  
17 will decide if we have met the standards of the Voting  
18 Rights Act. This is not the venue for us to decide.  
19 We -- we've got the lines that they have drawn in the  
20 cases that we've already seen. We know that. We know  
21 what the standards they've set. We've complied with  
22 that in our bill. This is not the venue to --

23 REPRESENTATIVE RAYMOND: Do you believe --  
24 are you telling me you believe that we don't need the  
25 Voting Rights Act any more?

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1 REPRESENTATIVE HARLESS: You're putting  
2 words in --

3 REPRESENTATIVE RAYMOND: I'm asking. Do you  
4 believe --

5 REPRESENTATIVE HARLESS: You're putting  
6 words into my mouth.

7 REPRESENTATIVE RAYMOND: Do you believe we  
8 still need the Voting Rights Act?

9 REPRESENTATIVE HARLESS: I don't think this  
10 is the place to debate that.

11 REPRESENTATIVE RAYMOND: Yes, ma'am, it is  
12 entirely a place to debate that. This is a -- would you  
13 agree that this is a major piece of legislation dealing  
14 with voting in the State of Texas?

15 REPRESENTATIVE HARLESS: I do.

16 REPRESENTATIVE RAYMOND: And you do not  
17 believe that the Voting Rights Act should be discussed  
18 in this context?

19 REPRESENTATIVE HARLESS: We have discussed  
20 it.

21 REPRESENTATIVE RAYMOND: Okay. Then let's  
22 continue to discuss it for a minute. Do you believe the  
23 Voting Rights Act is still necessary?

24 REPRESENTATIVE HARLESS: I believe we're  
25 still under the regulations of the Voting Rights Act.

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1 REPRESENTATIVE RAYMOND: I'm asking you  
2 because you're the author of this very important bill  
3 and I think this is very important for people to  
4 understand your intent. Do you believe the Voting  
5 Rights Act is still necessary?

6 REPRESENTATIVE HARLESS: As I've said  
7 before, this is a federal -- this is a federal issue to  
8 be decided by the federal courts. This isn't for us in  
9 the Texas Legislature to discuss right now.

10 REPRESENTATIVE RAYMOND: Ma'am, you are  
11 dealing with legislation here -- you are -- you are  
12 proposing a bill that would affect every single voter in  
13 the State of Texas, including minorities. You would  
14 agree with that, right?

15 REPRESENTATIVE HARLESS: Say that one more  
16 time. It's hard for me to hear you.

17 REPRESENTATIVE RAYMOND: You are  
18 representing a bill that would affect the voting rights  
19 of every voter in the State of Texas, including  
20 minorities. Would you agree with that?

21 REPRESENTATIVE HARLESS: I do not agree with  
22 that. I think --

23 REPRESENTATIVE RAYMOND: Really? Your bill  
24 does not apply to minorities?

25 REPRESENTATIVE HARLESS: I think we increase

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1 access to the polls by putting some checks and balances  
2 that voters actually show ID that they are who they are  
3 when they show up to vote.

4 REPRESENTATIVE RAYMOND: Does your bill -- I  
5 have a very simple question. Does your bill apply to  
6 minorities in the State of Texas?

7 REPRESENTATIVE HARLESS: My bill -- my bill  
8 applies to everyone equally across the state.

9 REPRESENTATIVE RAYMOND: Including  
10 minorities; is that right?

11 REPRESENTATIVE HARLESS: Everyone.

12 REPRESENTATIVE RAYMOND: Including  
13 minorities?

14 REPRESENTATIVE HARLESS: All Texans.

15 REPRESENTATIVE RAYMOND: Including  
16 minorities?

17 REPRESENTATIVE HARLESS: All Texans.

18 REPRESENTATIVE RAYMOND: Including  
19 minorities?

20 REPRESENTATIVE HARLESS: All Texans.

21 REPRESENTATIVE RAYMOND: You won't even  
22 acknowledge whether or not your bill affects --

23 REPRESENTATIVE HARLESS: It -- I said it  
24 applies to all Texans.

25 REPRESENTATIVE RAYMOND: Including

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1 minorities, right?

2 REPRESENTATIVE HARLESS: All Texans, every  
3 voter in the state.

4 REPRESENTATIVE RAYMOND: Minorities are  
5 Texans, right?

6 REPRESENTATIVE HARLESS: Do you want to go  
7 back and forth all day? I've answered the question.

8 REPRESENTATIVE RAYMOND: No. I want you to  
9 answer the question, ma'am.

10 REPRESENTATIVE HARLESS: I did. It applies  
11 to all --

12 REPRESENTATIVE RAYMOND: With all due  
13 respect, I feel like you're being flippant about  
14 something that is very important to millions of Texans.

15 REPRESENTATIVE HARLESS: I absolutely don't  
16 mean to be flippant. If I'm coming across that way, I  
17 apologize.

18 REPRESENTATIVE RAYMOND: It's a very simple  
19 question.

20 REPRESENTATIVE HARLESS: And I gave you a  
21 very simple answer. It applies to all Texans.

22 REPRESENTATIVE RAYMOND: I will ask you -- I  
23 will ask you one more time. Does your bill apply to  
24 minorities?

25 SPEAKER: Time has expired. Point is well

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1 taken. Sustained.

2 The Chair recognizes Representative Raymond  
3 to close on his amendment.

4 Mr. Raymond moves that the exchange between  
5 himself and Ms. Harless be reduced to writing and  
6 entered in the journal. Is there any objection?

7 The Chair hears none. So ordered.

8 The Chair recognizes Mr. Raymond to close.

9 REPRESENTATIVE RAYMOND: Mr. Speaker,  
10 Members, it is troubling to say the least that the  
11 author of this bill was not willing to acknowledge that  
12 this legislation will affect minority voters in the  
13 State of Texas. It is troubling to say the least.

14 It is doubly troubling that she is not  
15 willing to accept this simple amendment, which I know  
16 many of my Republican friends who would, I believe,  
17 accept if they gave it any thought, that says this will  
18 comply with the Voting Rights Act, that the section I  
19 specifically referred to here, the voter identification  
20 education section, would comply with Section 2, which is  
21 the language section of the Voting Rights Act.

22 It is disappointing that Ms. Harless would  
23 not accept the amendment. It is even more disappointing  
24 that she was not even willing to acknowledge that her  
25 legislation will affect minorities all over the State of

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1 Texas.

2 I move -- I ask that you vote no.

3 SPEAKER: Mr. Veasey, for what purpose?

4 REPRESENTATIVE VEASEY: Will the gentleman  
5 yield for a question?

6 SPEAKER: Will you yield for a question?

7 REPRESENTATIVE RAYMOND: Yes.

8 SPEAKER: He yields.

9 REPRESENTATIVE VEASEY: Representative  
10 Raymond, why don't you think Representative Harless  
11 would answer your question directly? It was a very  
12 important question dealing with the Voting Rights Act.  
13 We -- we know that we are a Section 5 state. I hope  
14 that she knows that we're a Section 5 state since she's  
15 carrying this bill, and could you maybe elaborate on why  
16 she did not want to answer your question directly?

17 REPRESENTATIVE RAYMOND: You know, it's --  
18 it's hard to read someone else's mind but I will tell  
19 you that in 2006 -- I'm not sure every member in here  
20 knows this but in 2006, a man named George W. Bush  
21 signed into law the extension of the Voting Rights Act  
22 for 25 years, and he said although we've come a long  
23 way, there's a still a ways to go.

24 And for the author of this bill not to  
25 acknowledge what a president from this state was willing

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1 to acknowledge a mere five years ago and, that is, that  
2 the Voting Rights Act is still necessary and that her  
3 bill would, in fact, affect millions of Texans who are  
4 minorities and who are protected by Section 2 of the  
5 Voting Rights Act is troubling.

6 I don't know what else to tell you but I  
7 think that -- I think it certainly should give people  
8 pause to think about what's going on here.

9 REPRESENTATIVE VEASEY: If you're the author  
10 of a bill like this that's going to drastically change  
11 election law in your state, don't you think you should  
12 have a good understanding of the Voting Rights Act and  
13 the history of the act and why it was passed before you  
14 embark on a piece of legislation that could have the  
15 type of consequences I believe that this piece of  
16 legislation will have?

17 REPRESENTATIVE RAYMOND: Well, I would  
18 expect that in the year 2011 but, you know, you just  
19 heard the exchange. It -- it was surprising and  
20 troubling to me that the author of this bill was not  
21 willing to acknowledge the importance of the Voting  
22 Rights Act and the fact that her bill would affect  
23 millions of Texans who are protected by it.

24 REPRESENTATIVE VEASEY: You have a good  
25 amendment and because of all the good amendments that

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1 have been turned down tonight, we can see exactly where  
2 this bill is headed.

3 Thank you, Representative Raymond.

4 REPRESENTATIVE RAYMOND: Thank you.

5 REPRESENTATIVE BERMAN: Mr. Speaker?

6 SPEAKER: Mr. Berman, for what purpose?

7 REPRESENTATIVE BERMAN: Does the gentleman  
8 yield?

9 REPRESENTATIVE RAYMOND: Yes, of course.

10 SPEAKER: He yields.

11 REPRESENTATIVE BERMAN: Richard, you're a  
12 good guy. And, Richard, are you a minority?

13 REPRESENTATIVE RAYMOND: I am.

14 REPRESENTATIVE BERMAN: Is Mr. Veasey a  
15 minority?

16 REPRESENTATIVE RAYMOND: Yes, sir.

17 REPRESENTATIVE BERMAN: Are you both Texans?

18 REPRESENTATIVE RAYMOND: Yes, sir, we are.

19 REPRESENTATIVE BERMAN: Ms. Harless answered  
20 the question, and she said all Texans.

21 REPRESENTATIVE RAYMOND: You know, Leo, and  
22 I am glad you called me Richard because I'd actually  
23 like for us to talk --

24 REPRESENTATIVE BERMAN: I like you.

25 REPRESENTATIVE RAYMOND: If you were

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1 listening to a bill and you had been around 75 years, as  
2 you just mentioned, she specifically would not say --  
3 when I asked a simple question are minorities -- you  
4 know, will this affect minorities, will your bill  
5 include minorities, in other words, I'm a minority, is  
6 this going to apply to me, yes, I'm going to need a  
7 voter ID to go vote, right?

8 REPRESENTATIVE BERMAN: Yeah, but --  
9 (Inaudible).

10 REPRESENTATIVE RAYMOND: No. No. You  
11 listened to it, Leo. You listened to it. You listened  
12 to it. And I say, "Well, just tell me does this affect  
13 minorities?"

14 "It affects all Texans."

15 "Does this affect minorities?"

16 She wouldn't say it.

17 REPRESENTATIVE BERMAN: I think you hit her  
18 too hard really. I know you're a minority. I know --

19 REPRESENTATIVE RAYMOND: Leo, she's not a  
20 shrinking violet.

21 REPRESENTATIVE BERMAN: I know that.

22 REPRESENTATIVE RAYMOND: She's a tough lady.

23 REPRESENTATIVE BERMAN: I know that but she  
24 said all Texans, and all Texans include every minority  
25 in Texas.

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1 REPRESENTATIVE RAYMOND: Leo, do you --

2 Leo --

3 REPRESENTATIVE BERMAN: Of course, they do.

4 REPRESENTATIVE RAYMOND: Let me ask you,  
5 Leo, do you believe that this law will apply to  
6 minorities in the State of Texas?

7 REPRESENTATIVE BERMAN: Yes, I do.

8 REPRESENTATIVE RAYMOND: You see, you were  
9 willing to answer it.

10 REPRESENTATIVE BERMAN: But she didn't have  
11 to. She --

12 SPEAKER: Representative Sheffield raised a  
13 point of order. The gentleman's time is expired. The  
14 point of order is well taken. Sustained.

15 REPRESENTATIVE RAYMOND: I'd like to make a  
16 motion to reduce the exchange between Ms. Harless and  
17 myself and Mr. Veasey and myself into writing and enter  
18 it into the journal.

19 SPEAKER: Members, you've heard the motion.  
20 Is there any objection?

21 The Chair hears none. So ordered.

22 Representative Raymond sends up the  
23 amendment. Representative Harless moves to table. The  
24 vote is on the motion to table. Members vote aye,  
25 members vote no. Show Representative Harless voting

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1 aye. Representative Raymond voting no. Clerk will ring  
2 the bell. Representative Gonzales voting aye.  
3 Representative Carter voting aye. Representative Chen  
4 and Dutton voting aye. Representative Branton voting  
5 aye.

6 Have all members voted? By a vote of 99  
7 ayes, 48 nays, 2 present not voting, the motion to table  
8 prevails.

9 Following the amendment --

10 CLERK: Amendment by Raymond.

11 SPEAKER: The Chair recognizes  
12 Representative Raymond.

13 REPRESENTATIVE RAYMOND: Okay. Members,  
14 since Ms. Harless would not accept an amendment to this  
15 bill, saying that this bill would comply with the Voting  
16 Rights Act, Section 5, then I now am offering an  
17 amendment that says it will apply to Section 2, which is  
18 the language section of the Voting Rights Act since we  
19 are a -- a language minority state. Move adoption.

20 SPEAKER: The Chair recognizes  
21 Representative Phillips in opposition.

22 REPRESENTATIVE PHILLIPS: Thank you, Mr.  
23 Speaker. I would move to -- I would speak in opposition  
24 to this amendment. Again, we're getting far -- far from  
25 what the Texas legislature needs to be doing, and I

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